

GAHC010008822016



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : WP(C) 916/2016

1: RANJIT KR. MONDAL and 2 ORS.
S/O- KARTIK CHANDRA MONDAL, R/O VILL.- 2 NO. NAWAPARA, P.O.-
NAWAPARA, P.S.- MANIKPUR, DIST.- BONGAIGAON, PIN- 783392, ASSAM.

2: NIMAI DAS
S/O- GOURANGA DAS
R/O VILL. and P.O.- PATILADOHA
P.S.- MANIKPUR
DIST.- BONGAIGAON
PIN- 783392
ASSAM.

3: SANJAY KR. BISWAS
S/O- SRI JADUMOHAN BISWAS
R/O VILL.- BARBILA
P.O.- MANIKPUR
DIST.- BONGAIGAON

VERSUS

1: THE STATE OF ASSAM and 3 ORS.
REP. BY THE COMMISSIONER and SECY. TO THE GOVT. OF ASSAM,
WELFARE OF PLAIN TRIBES AND BACKWARD CLASSES DEPTT., DISPUR,
GHY- 6, DIST.- KAMRUP M, ASSAM.

2: THE DIRECTOR
WELFARE OF SCHEDULED CASTES
SARUMOTORIA
GHY- 6
KAMRUP M
ASSAM.

3: THE SUB-DIVISIONAL WELFARE OFFICER

BIJNI
DIST.- BONGAIGAON.

4:HIMMATSINGKA AUTO ENTERPRISE
KUSHAN PLASA
3RD FLOOR
OPP. ASSAM OIL PETROLPUMP
G.S. ROAD
GANESHGURI
GHY- 5
DIST.- KAMRUP M
ASSAM

Advocate for the Petitioner : MR. A M DUTTA

Advocate for the Respondent : GA, ASSAM

BEFORE
HONOURABLE MR. JUSTICE KALYAN RAI SURANA

ORDER

Date : 24.07.2019

Heard Ms. B. Dutta, learned Senior Counsel, assisted by Mr. A.M. Dutta, learned counsel for the petitioner. Also heard Mr. R. Dhar, learned Addl. Senior Govt. advocate for the State respondent.

The learned Addl. Senior Govt. advocate submits that pursuant to order dated 27.05.2019, the following concerned officers of the WPT & BC Department are present, viz., (i) Ms. Anjula Bhuyan, ACS, Dy. Secretary for WPT & BC on behalf of Commissioner and Secretary to the Govt. of Assam, WPT & BC Department, (ii) Mr. Suryya Kamal Bora, R.O. (Officiating Director), Welfare of S.C. Assam, WPT & BC Department, and (iii) Ms. Dorodi Devroy, C.O. Bijni, I/C Sub-div., Welfare Officer.

It is further submitted that the Commissioner and Secretary to the WPT and BC Department is also the Divisional Commissioner of the North Assam Division and he is presently engaged in the food relief and damage assessment programme. Accordingly, it is submitted that he has not been able to return back the station today as he is on field visit

and prays for some accommodation for his personal appearance, for which prayer for adjournment is made. It is further submitted that notwithstanding the measures taken by the WPT & BC Department, but if the petitioners provide their bank details and other relevant account particulars, the WPT & BC Department would be electronically transferring the margin money of Rs.46,500/- each deposited by each of the petitioners into their respective bank accounts.

Accordingly, it is provided that the learned counsel for the petitioner may provide the requisite bank details to Mr. R. Dhar, learned Addl. Senior Govt. advocate for onwards transmission to the WPT & BC Department so as to able the said authority to transfer the margin money to the respective bank accounts of the petitioners.

The learned Senior Counsel for the petitioner has also made a prayer for payment of interest.

The said prayer shall be considered later on as the matter is pending for hearing.

In view of the said submissions made by the learned Addl. Senior Govt. advocate and noticing that the respondents No. 1 and 2 have filed their affidavit-in-opposition, the personal appearance of the concerned respondents including that of the Commissioner and Secretary to the WPT & BC Department is exempted for the time being.

It is noted that the learned Addl. Senior Govt. advocate assures this court that once the requisite bank details are provided, within 3-4 working days the money would be transferred into their respective bank accounts.

Accordingly, the matter stands adjourned today.

List the matter on **21.08.2018**.

JUDGE

Comparing Assistant