

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

THE HON'BLE MR JUSTICE PRASANTA KUMAR DEKA

21. 08. 2019

Heard Ms. B Dutta, learned Sr. counsel assisted by Mr. AM Dutta, learned counsel for the petitioner. Also heard Ms. RB Bora, learned Govt. Advocate for the respondents leaving aside private respondent No. 4.

The petitioners were the unemployed youths. In pursuance of the scheme for self employed under the Directorate of Welfare of Scheduled Castes, Assam contributed their 25% contribution in order to get the commercial vehicle for the commercial purpose for earning their livelihood. The said amount comes to Rs. 46,500/- and to that effect there is no dispute at the bar, but the petitioners were not supplied with the said commercial vehicle. Even after several communications their contributions of 25% were not released by the State respondents. Being aggrieved by the inaction, this writ petition is filed. Vide order dated 24.07.2019 an assurance was made by the learned Govt. Advocate on the basis of available instruction that once the requisite bank details are provided by the petitioners the said amount of Rs. 46,500/- would be transferred into their respective bank accounts.

Ms. Dutta submits that the petitioner Nos. 1 and 3 on submission of the requisite bank

details received an amount of Rs. 46,500/- each. On the other hand, due to delayed action on the part of the petitioner No. 3, the amount is yet to be deposited in his bank account. It is further submitted that the amount which is substantial one was deposited by the petitioners being unemployed youth after borrowing the same and owing to the default on the part of the respondents the said amount was blocked for substantial period thereby causing loss to the petitioners. Accordingly, Ms. Dutta sought for direction to calculate the interest from the date of deposit of said amount till the date of refund at commercial rate and the said interest be deposited in respective bank accounts of the present petitioners.

Ms. Bora, being not ready with the said claim of the present petitioners sought for one week time, which is accordingly granted.

List on 06.09.2019.

JUDGE

Comparing Assistant