

GAHC010012702017



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

**Case No. : WP(C) 859/2017**

1:NISHAMONI BORAH and ANR.  
D/O MR. ROHINI BORAH R/O BORIGAON, P.O. DHALPUR P.S. BIHPURIA  
DIST. LAKHIMPUR.

2: NORTH-EAST NETWORK NEN  
REP. BY ITS PROGRAM MANAGER  
ASSAM HEAD OFFICE  
J.N. BAROOAH LANE  
JORPUKHURI  
GUWAHATI - 781001

VERSUS

1:THE STATE OF ASSAM and 10 ORS.  
REP. BY THE CHIEF SECRETARY, GOVT. OF ASSAM, DISPUR, GUWAHATI -  
781005.

2:THE COMMISSIONER AND SECRETARY TO THE  
GOVT. OF ASSAM  
DEPARTMENT OF SOCIAL WELFARE  
DISPUR  
GUWAHATI - 781005.

3:THE COMMISSIONER AND SECRETARY  
TO THE GOVT. OF ASSAM  
DEPARTMENT OF HEALTH AND FAMILY WELFARE  
DISPUR  
GUWAHATI- 781005.

4:THE COMMISSIONER AND SECRETARY  
TO THE GOVT. OF ASSAM  
DEPARTMENT OF HOME AND POLITICAL AFFAIRS  
GUWAHATI - 781005.

5:THE COMMISSIONER AND SECRETARY  
DEPARTMENT OF FINANCE  
DISPUR  
GUWAHATI- 781005.

6:THE DISTRICT LEGAL SERVICES AUTHORITY  
REP. BY ITS SECRETARY  
REP. BY ITS SECRETARY  
DISTRICT AND SESSIONS JUDGE OFFICE CAMPUS  
KAMRUP  
ASSAM.

7:THE ASSAM STATE LEGAL SERVICES AUTHORITY  
REP. BY ITS SECRETARY  
DIGHALIPUKHURI  
GUWAHATI  
ASSAM.

8:OFFICER IN CHARGE  
BAHARALUMUKH POLICE STATION  
GUWAHATI - 781009.

9:OFFICERIN-CHARGE  
WOMEN POLICE STATION  
PANBAZAR  
GUWAHATI --781001.

10:SANJEEVANI HOSPITAL  
A.T. ROAD  
MALIGAON  
GUWAHATI - 781011.

11:UNION OF INDIA  
REPRESENTED BY THE MINISTRY OF HOME AFFAIRS  
JAI SINGH ROAD  
NEW DELH

**Advocate for the Petitioner** : MR. A PHUKAN

**Advocate for the Respondent** : ASSTT. S.G.I.

**BEFORE**  
**HONOURABLE MR. JUSTICE SUMAN SHYAM**

**ORDER**

20.09.2019

Heard Ms. V. Grover, learned counsel for the petitioner, who submits that in terms of the leave granted by this Court by the order dated 29.08.2019 the medical, travel and lodging bills of the petitioner in connection with her treatment at Hyderabad have been brought on record by filing an additional affidavit dated 17.09.2019 after serving advance upon the learned Standing Counsel, Health Department, Assam.

Stating that the original bills are lying in the custody of the trial court in connection with the criminal proceeding the learned counsel for the petitioner submits that it would be open for the respondent authorities to verify the genuineness of the claim of the petitioner based on copies of the bills.

Responding to the same, Mr. B. Gogoi, learned Standing Counsel, Health Department, submits that there is a Nodal Officer appointed by the Department to look into such matters and therefore, the petitioner be asked to approach the Nodal Officer.

Considering the peculiar facts and circumstances of the case, I am not inclined to relegate the petitioner again to the Nodal Officer since there is no dispute about her entitlement to receive reimbursement of medical, travel and lodging bills.

As such, the respondents are directed to verify the bills submitted by the petitioner and thereafter, take necessary steps for releasing the payments in accordance with the applicable rules.

Let this matter be listed again on 28.11.2019 as a fixed item for furnishing

compliance report.

Ms. M. Bhattacharjee, learned Govt. Advocate, Assam, to also obtain instruction and apprise this Court as to what steps have been taken for framing regulations as per the Supreme Court decision rendered in the case of **Laxmi vs. Union of India** reported in **(2014)4 SCC 427**.

**JUDGE**

**Comparing Assistant**