

GAHC010025812023



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

Case No. : WP(C)/759/2023

DEVIKA DAS
W/O- DINESH CHANDRA DAS,
HOUSE NO. 8, BAHINI BY-LANE,
AG OFFICE ROAD, KRISHNAPUR,
BELTOLA, GUWAHATI.
PIN- 781029 (ASSAM).

VERSUS

THE STATE OF ASSAM AND 8 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE
GOVERNMENT OF ASSAM,
SOCIAL WELFARE DEPARTMENT,
DISPUR, GUWAHATI-06.

2:THE DEPUTY SECRETARY TO THE GOVT. OF ASSAM
SOCIAL WELFARE DEPARTMENT
DISPUR
GUWAHATI-06

3:THE JOINT SECRETARY TO THE GOVT. OF ASSAM
SOCIAL WELFARE DEPARTMENT
DISPUR
GUWAHATI-06.

4:THE DIRECTOR
SOCIAL WELFARE
ASSAM
UZANBAZAR
GUWAHATI-01.

5:THE COMMISSIONER AND SECRETARY TO THE GOVERNMENT OF
ASSAM
SOCIAL JUSTICE AND EMPOWERMENT DEPTT.

DISPUR
GUWAHATI- 781006.
(EARLIER KNOWN AS SOCIAL WELFARE DEPARTMENT).

6:THE DIRECTOR OF SOCIAL JUSTICE AND EMPOWERMENT
DEPARTMENT
LAKHI MANDIR
SAURABH NAGAR
BELTOLA TINIALI
GUWAHATI
ASSAM
PIN- 781028. (EARLIER KNOWN AS SOCIAL WELFARE DEPARTMENT).

7:THE ACCOUNTANT GENERAL (A AND E)
ASSAM
MAIDAMGAON
BELTOLA
GUWAHATI- 29.

8:THE SECRETARY
PENSION AND PUBLIC GRIEVANCES DEPARTMENT
GOVERNMENT OF ASSAM
DISPUR
GUWAHATI-06.

9:THE COMMISSIONER AND SECRETARY
FINANCE DEPARTMENT
GOVERNMENT OF ASSAM
DISPUR
GUWAHATI-06.

10:THE PRINCIPAL SECRETARY TO THE GOVT. OF ASSAM
DEPARTMENT OF WOMEN AND CHILD DEVELOPMENT
1ST FLOOR
D-BLOCK
JANATA BHAWAN
DISPUR
GUWAHATI-781006.

11:THE DIRECTOR
DEPARTMENT OF WOMEN AND CHILD DEVELOPMENT

UZANBAZAR
GUWAHATI-01
ASSAM

Advocate for the Petitioner : MS. B BHUYAN, MR J DAS,MR A TALUKDAR,MS B BORA

Advocate for the Respondent : GA, ASSAM, MR R M DAS,SC, SOCIAL JUSTICE AND EMPOWERMENT,SC, SOCIAL WELFARE,SC, AG,SC, FINANCE

Linked Case : WP(C)/761/2023

BINA PHUKAN
W/O- SRI MILON CHANDRA BORUAH
HOUSE NO. 10
BANANI PATH
JANAKPUR CHARIALI
KAHILIPARA ROAD
GUWAHATI. PIN- 781019 (ASSAM).

VERSUS

THE STATE OF ASSAM AND 8 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE
GOVERNMENT OF ASSAM
SOCIAL WELFARE DEPARTMENT
DISPUR
GUWAHATI-06.

2:THE DEPUTY SECRETARY TO THE GOVT. OF ASSAM
SOCIAL WELFARE DEPARTMENT
DISPUR
GUWAHATI- 06.

3:THE JOINT SECRETARY TO THE GOVT. OF ASSAM
SOCIAL WELFARE DEPARTMENT
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4:THE DIRECTOR
SOCIAL WELFARE
ASSAM
UZANBAZAR
GUWAHATI-01.

5:THE COMMISSIONER AND SECRETARY TO THE GOVERNMENT OF
ASSAM
SOCIAL JUSTICE AND EMPOWERMENT DEPTT.
DISPUR
GUWAHATI- 781006. (EARLIER KNOWN AS SOCIAL WELFARE
DEPARTMENT).

6:THE DIRECTOR OF SOCIAL JUSTICE AND EMPOWERMENT DEPARTMENT
LAKHI MANDIR

SAURABH NAGAR
BELTOLA TINIALI
GUWAHATI
ASSAM
PIN- 781028. (EARLIER KNOWN AS SOCIAL WELFARE DEPARTMENT).

7:THE ACCOUNTANT GENERAL (A AND E)
ASSAM
MAIDAMGAON
BELTOLA
GUWAHATI- 29.

8:THE SECRETARY
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GUWAHATI-06.

9:THE COMMISSIONER AND SECRETARY
FINANCE DEPARTMENT
GOVERNMENT OF ASSAM
DISPUR
GUWAHATI-06.

10:THE PRINCIPAL SECRETARY TO THE GOVERNMENT OF ASSAM

DEPARTMENT OF WOMAN AND CHILD DEVELOPMENT
1ST FLOOR
D-BLOCK
JANATA BHAWAN
DISPUR
GUWAHATI-781006

11:THE DIRECTOR
DEPARTMENT OF WOMAN AND CHILD DEVELOPMENT

UZANBAZAR
GUWAHATI-01
ASSAM

Advocate for : MS. B BHUYAN
Advocate for : GA
ASSAM appearing for THE STATE OF ASSAM AND 8 ORS

BEFORE
HONOURABLE MR. JUSTICE SUMAN SHYAM

ORDER

Date : 26/05/2025

Heard Ms. B. Bhuyan, learned senior counsel assisted by Ms. B. Bora, learned counsel for the writ petitioner in both the writ petitions.

Perused the order dated 05/05/2025, by means of which, the respondent no. 3 was directed to file affidavit on or before the next date of listing. However, no such affidavit has been filed till date.

Mr. P. Nayak, learned Additional Advocate General (Fin), Government of Assam; Mr. A. Chakraborty, learned Government Advocate, Assam, appearing for the State; Ms. J. Gogoi, learned counsel appearing for the respondent nos. 5 & 6 and Mr. R. Boro, learned Standing Counsel, Office of the AG (A&E), Assam, appearing for the respondent no. 7 are present.

A prayer has been made by the learned Standing Counsel, Finance Department as well as the State of Assam, seeking three weeks' further time, as last opportunity, to file affidavit.

Although, by order dated 05/05/2025, this Court had directed the respondents to file affidavit on or before the next date fixed, yet, considering the nature of issue involved in these proceedings, I am of the view that one last opportunity should be given to the respondents to file affidavit.

In view of the above, these writ petitions are directed to be listed again on 15/07/2025, as fixed items.

The counter affidavit on behalf of the respondents be positively be filed on or before 25/06/2025 by serving advance copy upon the petitioner(s) counsel, failing which, no further opportunity will be granted for filing counter affidavit in these matters.

Registry to list these cases again on 15/07/2025 by tagging the affidavit(s), if any, filed by the respondents.

JUDGE

Comparing Assistant