

GAHC010076632026



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

Case No. : WP(C)/2151/2026

SMTI SEEMA MAZUMDER SAIKIA ALIAS SIMA SAIKIA
WIFE OF LATE LOKEN CHANDRA SAIKIA, PERMANENT RESIDENT OF-
VILLAGE- SAPEKHATI, P.O- KEKURI B.O., P.S- DHAKUAKHANA, PIN-
787055, DIST- NORTH LAKHIMPUR, ASSAM AND PRESENTLY RESIDING AT
SITALA BARI, WARD NO. 02, P.O. AND P.S. DIPHU, DIST- KARBI ANGLONG,
ASSAM, PIN- 782460.

VERSUS

THE STATE OF ASSAM AND 4 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY, GOVT. OF
ASSAM, HEALTH AND FAMILY WELFARE DEPARTMENT, ASSAM
SECRETARIATE, DISPUR, ASSAM, PIN- 781006.

2:THE DIRECTORATE OF HEALTH SERVICES CUM THE CHIEF REGISTRAR
BIRTHS AND DEATHS
ASSAM
HEALTH COMPLEX
LICHUBAGAN
HENGRABARI
GUWAHATI
ASSAM
PIN- 781036.

3:THE REGISTRAR OF BIRTH AND DEATH
ASSAM MEDICAL COLLEGE HOSPITAL
DIBRUGARH

4:SMTI HIMALAYA DAS
DAUGHTER OF SHRI PARAMANAND DAS
RESIDENT OF VILLAGE - ARENGAPARA
P.S. GOLAGHAT

DISTRICT - GOLAGHAT
ASSAM
PIN- 785621

5:ATUL SAIKIA
(GAON PRADHAN)
RESIDENT OF VILL--MADHOWA GAON
P.O. KEKURI
P.S. GHILAMARA
DIST.- NORTH LAKHIMPUR
ASSAM
PIN- 787055

Advocate for the Petitioner : MR. M R SODIAL, R ALI,MS S Z HAYAT,MUFIDUL ISLAM

Advocate for the Respondent : GA, ASSAM, SC, HEALTH

BEFORE
HONOURABLE MR. JUSTICE SANJAY KUMAR MEDHI

ORDER

24.04.2026

Heard Shri M. Islam, learned counsel for the petitioner.

As per the facts projected, the petitioner is the legally married wife of one Loken Ch. Saikia, who had passed away on 02.05.2023. It has however been disclosed that the marriage was solemnized on 15.11.1989 by executing a Deed of Marriage Agreement and a son was also born to the parties on 02.02.1992. However, the respondent no. 4 has obtained a Death Certificate by claiming herself to be the wife of the deceased.

Let notice be issued, returnable on 25.05.2026.

Ms. D. Bora, learned Standing Counsel, Health accepts notice on behalf of the respondent nos. 1, 2 and 3. Extra copy of the writ petition be served upon her within 2 (two) working days from today.

Let steps be taken for service of notice upon the respondent nos. 4 and 5 by Speed Post with A/D within 2 (two) working days from today.

JUDGE

Comparing Assistant