

GAHC010097122026



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

Case No. : WP(C)/2894/2026

SRI BHABEN DEKA
SON OF LATE JADURAM DEKA, RESIDENT OF VILLAGE UPAHUPARA, P.O.
AND P.S. MANGALDAI, DISTRICT- DARRANG, ASSAM - 784125.

VERSUS

THE STATE OF ASSAM AND 4 ORS
REPRESENTED BY THE COMMISSIONER SECRETARY, HEALTH AND
FAMILY WELFARE DEPARTMENT, DISPUR, GUWAHATI 781006.

2:THE MISSION DIRECTOR
NATIONAL HEALTH MISSION NHM
ASSAM
SAIKIA COMMERCIAL COMPLEX
SHREENAGAR
CHRISTIAN BASTI
GUWAHATI 781005

3:THE JOINT DIRECTOR OF HEALTH SERVICES CUM MEMBER
SECRETARY
DISTRICT HEALTH SOCIETY
DARRANG
ASSAM.

4:THE DISTRICT COMMISSIONER CUM CHAIRPERSON
DISTRICT HEALTH SOCIETY
DARRANG
ASSAM.

5:THE SUPERINTENDENT
MANGALDAI CIVIL HOSPITAL
DARRANG

ASSA

Advocate for the Petitioner : MR K K MAHANTA (Sr. Advocate), MR S GAUTAM,MS N BEGUM,MR. K M MAHANTA

Advocate for the Respondent : SC, HEALTH AND F W, SC, NHM

**BEFORE
HONOURABLE MR. JUSTICE SOUMITRA SAIKIA**

ORDER

15.06.2026

Heard Mr. K. K. Mahanta, learned senior counsel assisted by Mr. K. M. Mahanta, learned counsel for the petitioner. Also heard Ms. A. Bora, learned Standing Counsel, NHM; Ms. S. Sarma, learned Standing Counsel appears for the Health Department.

- 2.** Since the challenge made in the present writ petition is to an order passed by the NHM, and Ms. A. Bora, learned Standing Counsel for the NHM submits that their instructions are complete and she seeks liberty of the Court to file their affidavit.
- 3.** Accordingly, let notice issue, returnable within 17.07.2026.
- 4.** Since the respondents are represented, notices are waived.
- 5.** However, extra copies shall be furnished, if not, within a period of 1 week from today.

- 6.** The NHM will file their affidavit within a period of 2 (two) weeks.
- 7.** Accordingly, re-list this matter on 17.07.2026.

JUDGE

Comparing Assistant