

GAHC010110102016



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

Case No. : WP(C)/2347/2016

BIKALANGA KALYAN KENDRA
POHUMORIA, P.O. and P.S. PANIGAON, REP. BY ITS SECY., SMT. ANIMA
GOGOI, W/O BABUL BARHOL, R/O PANIGAON, P.O. PANIGAON, DIST-
LAKHIMPUR, ASSAM

VERSUS

THE UNION OF INDIA and 5 ORS
REP. BY THE SECY., MINISTRY OF WOMEN AND CHILD DEVEL. CENTRAL
PROJECT SUPPORT UNIT, ROOM NO.310, A-WING, SHASTRI BHAWAN, NEW
DELHI-1

2:THE STATE OF ASSAM
REP. BY THE COMMISSIONER and SECY. TO THE GOVT. OF ASSAM
SOCIAL WELFARE DEPTT.
DISPUR
GHY-6

3:THE DIRECTOR OF SOCIAL WELFARE DEPTT.
GOVT. OF ASSAM
UZAN BAZAR
GHY-1
DIST- KAMRUP METRO
ASSAM

4:THE MEMBER SECY.

STATE CHILD PROTECTION SOCIETY
ASSAM
46
1ST FLOOR
SURVEY BUS STOP

BELTOLA ROAD
GHY-28

5:THE DY. COMMISSIONER
LAKHIMPUR AND CHAIRPERSON
DISTRICT CHILD PROTECTION UNIT
LAKHIMPUR
PIN-787001

6:THE DISTRICT CHILD PROTECTION OFFICER
LAKHIMPUR
NORTH LAKHIMPUR
ASSAM
PIN-78700

Advocate for the Petitioner : MR. R TALUKDAR

Advocate for the Respondent : GA, ASSAM

Linked Case : WP(C)/6895/2014

BIKALANGA KALYAN KENDRA
POHUMORIA
P.O. AND P.S. PANIGAON
LAKHIMPUR
ASSAM
REP. BY ITS SECY. SMT. ANIMA GOGOI
W/O SRI BABUL BARHOI
R/O PANIGAON
PO. PANIGAON
LAKHIMPUR-787052

VERSUS

THE STATE OF ASSAM AND 3 ORS
REP. BY THE SECY.
GOVT. OF ASSAM
DEPTT. OF SOCIAL WELFARE
DISPUR
GHY-6

2:THE DIRECTOR

SOCIAL WELFARE DEPTT.
UJAN BAZAR
GHY-1
3:THE CHAIRMAN
STATE CHILD PROTECTION SOCIETY
SURVEY BUS STOP
BELTOLA ROAD
GHY-28
4:THE DISTRICT CHILD PROTECTION OFFICER
LAKHIMPUR
N. LAKHIMPUR

Advocate for : MR.D SARMA
Advocate for : SC
SOCIAL WELFARE appearing for THE STATE OF ASSAM AND 3 ORS

BEFORE
THE HON'BLE MR. JUSTICE PRASANTA KUMAR DEKA
ORDER

01.04.2021

Heard Mr. NK Kalita, learned counsel for the petitioner. Ms. M Bhattacharjee, learned Additional Senior Government Advocate is also present for the respondent Nos. 2 and 5.

The claim of the writ petitioner in this writ petition is in respect of non-implementation of the guidelines of Integrated Child Development Protection (ICDP) while releasing the amounts due to the petitioner society. The respondent No. 3 has filed affidavit-in-opposition long back in the year 2018 whereby citing various instances about the deficiencies in maintenance of the child care home by the present petitioner the approval was cancelled and further stating specifically that the petitioner's organization was entitled to receive maintenance grant to children on the basis of the actual occupancy, staff salary, contingency and charge of electricity as per the actual consumption for the period of 01.04.2014 to 30.11.2014. Though Mr. Kalita wanted to project that there is no dispute in respect of the period to which the petitioner is entitled to the maintenance grant to children however it is his submission that the payment which were made earlier were not as per the terms of the guideline.

In view of the same, liberty is granted to Mr. Kalita to file affidavit in reply against the affidavit-in-opposition of the respondent No. 3. Three weeks time is granted.

List after three weeks on a date to be fixed by the Registry.

JUDGE

Comparing Assistant