

GAHC010115142025



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

Case No. : WA/211/2025

1: KAMOLESH DAS AND 3 ORS.
SON OF PRNOBESH SHIL, RESIDENT OF GAURIPUR, WARD NO. 2,
P.O AND P.S- GAURIPUR, DISTRICT- DHUBRI, ASSAM, PIN-783331.

2: SHAHAJAHAN RAHMAN
S/O AFIZUR RAHMAN VILL. CHAGALCHARA PT-III
P.S. DHUBRI DIST. DHUBRI ASSAM PIN 783331

3: MOBASHIR ALOM
S/O TAZUDDIN AHMED R/O BIDYAPARA PT-2
COLLEGE ROAD P.S. DHUBRI DIST. DHUBRI ASSAM PIN 783301

4: AMINUR RAHMAN PRADHANI
S/O ACHIM UDDIN PRADHANI
VILL. DEBOTTAR HASDOHA PT-6 PIN 78333

VERSUS

1: THE UNION OF INDIA AND 9 ORS. TO BE REPRESENTED BY THE
SECRETARY GOVT. OF INDIA, MINISTRY OF HEALTH AND FAMILY
WELFARE, NIRMAN BHAWAN, NEW DELHI-110011.

2: THE DIRECTOR GENERAL (PH) DIRECTORATE OF HEALTH SERVICES
GOVT. OF INDIA NIRMAN BHAWAN NEW DELHI 110011

3: DEPUTY DIRECTOR (ADMINISTRATION) DIRECTORATE GENERAL OF
HEALTH SERVICES GOVT. OF INDIA NIRMAN BHAWAN NEW DELHI 110011

4: THE STATE OF ASSAM REPRESENTED BY COMMISSIONER AND SECY.
TO THE GOVT. OF ASSAM HEALTH AND FAMILY WELFARE DEPTT. DISPUR
GUWAHATI 781006

5: THE JOINT SECY. TO THE GOVT. OF ASSAM HEALTH AND FAMILY
WELFARE DEPTT. DISPUR GUWAHATI 06

6:DIRECTOR OF HEALTH SERVICES
ASSAM HENGRABARI GUWAHATI 36

7:THE DEPUTY COMMISSIONER
DHUBRI P.O. AND DIST. DHUBRI ASSAM PIN 783301

8:JOINT DIRECTOR OF HEALTH SERVICES CUM MEMBER SECY. DIST.
HEALTH SOCIETY DHUBRI DIST. P.O. AND DIST. DHUBRI ASSAM PIN
783301

9:THE SUPERINTENDENT DHUBRI CIVIL HOSPITAL
DHUBRI DIST. DHUBRI (ASSAM) PIN 783324

10:HOSPITAL MANAGEMENT SOCIETY DHUBRI CIVIL HOSPITAL
REPRESENTED BY ITS CHAIRMAN CUM DEPUTY COMMISSIONER
DHUBRI P.O. AND DIST. DHUBRI ASSAM PIN 78330

For the Appellant(s) : Mr. H.R.A. Choudhury, Sr. Advocate, assisted by Mr. A.Z. Ahmed,
Advocate.

For the Respondent(s) : Mr. D. Saikia, Advocate General, Assam, assisted by Ms. R. Baruah,
Advocate.
: Mr. D.P. Borah, Standing Counsel, Health & Family Welfare
Department.
: Mrs. R. Devi, Central Govt. Counsel.

- B E F O R E -

HON'BLE THE CHIEF JUSTICE MR. ASHUTOSH KUMAR
HON'BLE MR. JUSTICE ARUN DEV CHOUDHURY

11.12.2025

(Ashutosh Kumar, CJ)

Let this matter come up for consideration and final adjudication
on **19.12.2025**.

JUDGE

CHIEF JUSTICE

Comparing Assistant