

GAHC010122542020



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

Case No. : Cont.Cas(C)/395/2020

HASNIN SHAMINA SAYYID
W/O- (L) DR. TAUFQUIDDIN AHMED, R/O- DR. NABIULLA ROAD, P.O., P.S.
AND DIST.- TINSUKIA, ASSAM

VERSUS

SAMIR KUMAR SINHA
PRINCIPAL SECY. TO THE GOVT. OF ASSAM, DEPTT. OF HEALTH AND
FAMILY WELFARE DEPTT., CM BLOCK (3RD FLOOR), ASSAM
SECRETARIAT, DISPUR, GHY-06, ASSAM

Advocate for the Petitioner : MS P AGARWAL

Advocate for the Respondent :

BEFORE
HONOURABLE MR. JUSTICE KALYAN RAI SURANA

ORDER

Date : 03.08.2021

Heard Mr. H. Rahman, learned senior counsel assisted by Ms. P. Agarwal,
learned counsel for the petitioner.

It is seen that as per the postal track report submitted before the Registry,

notice on the respondent was served on 19.11.2020.

Mr. B. Gogoi, learned counsel, who otherwise represents the Health & Family Welfare Department has agreed to appear for the respondent. Accordingly, the learned counsel for the petitioner shall provide a copy of this contempt petition to Mr. B. Gogoi.

The learned counsel for the respondent has submitted that the present respondent is no longer holding the post of Principal Secretary, Govt. of Assam, Health & Family Welfare Department Mr. A. Goyal, is the present incumbent to the post of Principal Secretary to the Govt. of Assam, Health & Family Welfare Department.

The Court is inclined to grant leave to the petitioner to put the present incumbent to notice of his requirement to comply with the order dated 19.09.2017 passed in WP(C) No.3173/2015 wherein the respondents were directed to give family pension to the petitioner, provided the petitioner is eligible as per the provisions of the Assam Services (Pension) Rules, 1969 and provided she is not legally divorced from her husband. Notice may be served by way of e-mail.

After putting the present incumbent to notice, the Court permits the learned counsel for the petitioner to file an application for impleading the present incumbent.

The pendency of this contempt petition shall not be a bar for the Health & Family Welfare Department to comply with the order dated 19.09.2017 passed in WP(C) No.3173/2015.

List on 25.08.2021.

Registry shall reflect the name of Mr. B. Gogoi, learned counsel for the

respondent while listing the matter next.

JUDGE

Comparing Assistant