

GAHC010175392015



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

Case No. : WP(C)/1307/2015

MASTER PRAGYAN BAISHYA
R/O BY HIS FATHER SRI KHARGESWAR BAISHYA, PRESENTLY R/O QRT.
NO.2, O/O THE ADDLL. CHIEF ENGINEER, PHE COLONY, DIPHU, P.O., P.S.
DIPHU, DIST- KARBI ANGLONG, PIN-782460, ASSAM, PERMANENT R/O S/O
KHARGESWAR BAISHYA, R/O BANGAON, P.O. BANAGRAM, P.S. BELSOR,
DIST- NALBARI, ASSAM, PIN-781303

VERSUS

THE STATE OF ASSAM AND 7 ORS
REP. BY THE COMMISSIONER AND SECY. TO THE GOVT. OF ASSAM,
DEPTT. OF PHE, DISPUR, GHY-6, ASSAM

2:THE CHIEF ENGINEER
DEPTT. OF PHE
HENDERABARI
GHY-36

3:THE ADDL. CHIEF ENGINEER
DEPTT. OF PHE
KARBI ANGLONG AUTONOMOUS COUNCIL
DIPHU
PIN-782460
ASSAM

4:THE EXECUTIVE ENGINEER
PHE
DIPHU RURAL W/S DIVISION
DIPHU
PIN-782460
ASSAM

5:THE PRINCIPAL SECY.
KARBI ANGLONG AUTONOMOUS COUNCIL
DIPHU-782460
ASSAM

6:THE ASSAM POWER DISTRIBUTION CO. LTD.
REP. BY ITS CHAIRMAN CUM MANAGING DIRECTOR
HAVING ITS REGISTERED OFFICE AT BIJULEE BHABAN
PALTAN BAZAR
GHY-1
ASSAM

7:THE ASSTT. EXECUTIVE ENGINEER
DIPHU ELECTRICAL SUB DIVISION NO.1
DIPHU
KARBI ANGLONG
PIN-782460

8:MS. ANIMA TEROPI
THE CONTRACTOR WHO WAS CONSTRUCTING THE BUILD
R/O CHANDRA NAGAR
P.O.
P.S. DIPHU
W/NO.7
KARBI ANGLONG
ASSAM
PIN-782460

9:THE CHIEF ELECTRICAL INSPECTOR
GOVT. OF ASSAM
1ST FLOOR
HOUSEFED COMPLEX
BELTOLA-BASISTHA ROAD
WEST END BLOCK
HOUSEFED
DISPUR
GUWAHATI
ASSAM-781006.

10:ASSAM STATE LEGAL SERVICES AUTHORITY
GUWAHATI-

Advocate for the Petitioner : MR.T MADHUKALLYA

Advocate for the Respondent : SC, APDCL

B E F O R E
HON'BLE MR. JUSTICE SUMAN SHYAM

24-01-2023

Heard Mr. P. Mahanta, learned counsel for the petitioner.

Also heard Ms. R.S. Chowdhury, learned Standing Counsel, Assam State Legal Services Authority; Mr. J. Chutia, learned Standing Counsel, KAAC; and Mr. D. Choudhury, learned Standing Counsel, APDCL.

Mr. Chutia, learned counsel submits that an affidavit on behalf of the KAAC authority (PHED) undertaking to provide the petitioner with suitable employment in a Grade IV post immediately upon his attaining the age of 18 years, has been filed today, but the same is not on record.

Mr. Mahanta, learned counsel for the petitioner submits that the attempts to find out suitable artificial limb that can be fitted to the arms of the petitioner did not yield any result till now, but even if it is found out, the expenses involved in such prosthetic limb would be such that it would not be possible for the petitioner's father to bear the same.

Taking note of such argument, this Court has requested Mr. D. Nath, learned Senior Additional Government Advocate, Assam to examine the issue and obtain instructions from the Principal Secretary to the Government of Assam, Health and Family Welfare Department, as to in what manner, if any, the cause of the petitioner can be helped.

Ms. R.S. Chowdhury, learned Standing Counsel, ASLSA has also submitted that some inputs from the Jaipur Foot (an organization

connected with fitting of prosthetic limbs) is expected in a week's time.

In view of the above, on the request of learned counsel for both the sides, let this matter be listed again as part-heard item on 7th February, 2023.

JUDGE

Comparing Assistant