

GAHC010175392015



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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, MR.P MAHANTA,MR. A
CHAMUAH,MR.P P BORTHAKUR,MR.U SAIKIA,MS.R BORAH

Advocate for the Respondent : SC, APDCL, MR.J I BORBHUIYA,MR.S GOGOI(R-8),SC, K A A
C,SC, P H E,MR.B D DAS,MS. D D BARMAN (ADDL. SR. GA, R-9)

**BEFORE
HONOURABLE MR. JUSTICE SUMAN SHYAM**

ORDER

07.01.2025

Heard Mr. P. Mahanta, learned counsel for the petitioner. Also heard Mr. R. Bora, learned Standing Counsel, APDCL, Mr. D. Gogoi, learned Standing Counsel, PHE Department, Assam and Mr. R. S. Ronghang, learned Standing Counsel, KAAC. Ms. M. Bhattacharjee, learned Addl. Sr. Govt. Advocate, Assam is also present on behalf of the State of Assam.

It prima facie appears that despite repeated orders passed by this Court, no effective step has been taken by the Government of Assam to make available the prosthetic limb required by the petitioner. There is no reasonable explanation for not doing so. Under the circumstances, this Court is of the view that a time has come when the Court would have to consider directing personal appearance of the concerned officials so as to assist the Court.

In order to pass appropriate order in the matter, this writ petition is directed to be listed again on 28.01.2025 as a fixed item so as to give one more opportunity to the learned Departmental Counsel to obtain instruction.

A copy of this order be furnished to the learned Standing Counsel for all the departments appearing in this case.

JUDGE

Comparing Assistant