

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
HENGARABARI
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

25.03.2025

Heard Mr. P. Mahanta, learned counsel for the petitioner. Also heard Mr. D. Gogoi, learned Standing Counsel, PHE Department, Assam, who has produced a copy of the Notification dated 18.03.2025 issued by the Special Chief Secretary to the Government of Assam, PHE Department, Dispur to submit that a sum of Rs.46,36,800/- has been sanctioned by the Government and a ceiling has also been issued for the purpose of fitting the prosthetic limbs on the petitioner. With the above development the financial requirement for procuring the prosthetic limbs has been resolved.

The question that would now arise is pertaining to the authority who should be entrusted with the responsibility of overseeing that the prosthetic limb is properly fitted to the petitioner without any further delay.

Mr. D. Nath, learned Sr. Govt. Advocate, Assam, Mr. B. Gogoi, learned Standing Counsel for the Health Department, Assam and Mr. R. Ronghang, learned Standing Counsel, KAAC have prayed for posting this matter again on 03.04.2025 so as to enable them to examine the matter through a consultative process and apprise this Court as to the suitable mechanism that can be followed in this case.

Prayer allowed.

List this case gain on 03.04.2025 as a fixed item.

JUDGE

Comparing Assistant