

GAHC010185732021



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

Case No. : WP(C)/6971/2021

MR. HIRU MAHANTA AND 27 ORS
SON OF LATE NITYANANDA MAHANTA, RESIDENT OF PUBERUN PATH,
BAGHARBORI, P.O. PANJABARI, P.S. SATGAON, GUWAHATI-37, DISTRICT-
KAMRUP(M), ASSAM.

2: MANESWAR BRAHMA
SON OF LATE UPEN CHANDRA BRAHMA
RESIDENT OF NAMGHAR PATH
BAGHARBORI
P.O. PANJABARI
GUWAHATI-37
DISTRICT- KAMRUP (M)
ASSAM.

3: SURESH GOWALA
SON OF SRI RAGHUNATH GOWALA
RESIDENT OF GOPINATH NAGAR CHATTRIBARI
P.O. BIRUBARI
P.S. PALTANBAZAR
GUWAHATI
DISTRICT- KAMRUP (M)
ASSAM.

4: DHIREN BEZBORUAH
SON OF LATE ARUN BEZBORUAN
RESIDENT OF SANTIPUR HILL SIDE
P.O. AND P.S. BHARALUMUKH
GUWAHATI-9
DISTRICT- KAMRUP (M)
ASSAM.

5: BASANTA KALITA
SON OF LATE PRABIN KALITA
RESIDENT OF BAGHARBORI

P.O. PANJABARI
P.S. SATGAON
GUWAHATI-37
DISTRICT-KAMRUP (M)
ASSAM

6: BABUL DEKA
SON OF SRI ARABINDA DEKA
RESIDENT OF SRIMANTA SANKARDEVA KALAKSHETRA COMPLEX
P.O. PANJABARI
GUWAHATI-37
DISTRICT- KAMRUP (M)
ASSAM.

7: PRAFULLA BHATTA
SON OF LATE ADYANATH BHATTA
RESIDENT OF SRIMANTA SANKARDEVA KALAKSHETRA COMPLEX
P.O. PANJABARI
GUWAHATI-37
DISTRICT-KAMRUP (M)
ASSAM.

8: SUBHAS SARMA
SON OF SRI DINAMONI SARMA
RESIDENT OF CHENIKUTHI
P.O. SILPUKHURI
P.S. CHANDMARI
GUWAHATI-3
DISTRICT-KAMRUP (M)
ASSAM.

9: CHANDRADHAR HAZARIKA
SON OF LATE ADYANATH BHATTA
RESIDENT OF CHANEKI PATH
BAGHARBORI
P.O. PANJABARI
P.S. SATGAON
GUWAHATI-37
DISTRICT- KAMRUP (M)
ASSAM.

10: RATNESWAR HAJONG
SON OF LATE DEBI CH. HAJONG
RESIDENT OF BONDA COLONY
P.O.BONDA
P.S.-CHANDRAPUR
DISTRICT-KAMRUP (M)
ASSAM.

11: HEMEN DEKA
SON OF LATE AKSHAY DEKA
RESIDENT OF SRIMANTA SANKARDEVA KALAKSHETRA COMPLEX
P.O. PANJABARI
GUWAHATI-37
DISTRICT- KAMRUP (M)
ASSAM.

12: ANIL PATHAK
SON OF LATE GOJENDRA NATH PATHAK
RESIDENT OF CHANDMARI
AMIYA NAGAR
P.O. AND P.S. CHANDMARI
GUWAHATI-3
DISTRICT- KAMRUP (M)
ASSAM

13: SMTI MIRA SHARMA
DAUGHTER OF LATE GOURI SHARMA
RESIDENT OF SRIMANTA SANKARDEVA KALAKSHETRA COMPLEX
P.O. PANJABARI
GUWAHATI-37
DISTRICT-KAMRUP (M)
ASSAM.

14: SMTI JURIMONI SAIKIA
DAUGHTER OF LATE BAP CHANDRA SAIKIA
RESIDENT OF SRIMANTA SANKARDEVA KALAKSHETRA COMPLEX
P.O. PANJABARI
GUWAHATI-37
DISTRICT-KAMRUP (M)
ASSAM.

15: GOPAL SONAR
SON OF LATE LALBAHADUR SONAR
RESIDENT OF SRIMANTA SANKARDEVA KALAKSHETRA COMPLEX
P.O. PANJABARI
GUWAHATI-37
DISTRICT-KAMRUP (M)
ASSAM.

16: MD. FIROZ ALI
MD. FAZIR ALI
RESIDENT OF HOMEIO COLLEGE ROAD
BAGHARBORI
P.O. PANJABARI
GUWAHATI

DISTRICT- KAMRUP (M)
ASSAM.

17: KAMAL CHAKRABORTY
SON OF LATE BIPIN CHAKRABORTY
RESIDENT OF GITANAGAR AMAYAPUR
P.O. AND P.S. NOONMATI
GUWAHATI
DISTRICT- KAMRUP (M)
ASSAM.

18: SMTI BONTI BURAGOHAIN
DAUGHTER OF LATE MOHAN BURAGOHAIN
RESIDENT OF SRIMANTA SANKARDEVA KALAKSHETRA COMPLEX
P.O. PANJABARI
GUWAHATI-37
DISTRICT- KAMRUP (M)
ASSAM.

19: SMTI ANUPAMA KHANIKAR
DAUGHTER OF LATE KHUTIRAM KHANIKAR
RESIDENT OF SRIMANTA SANKARDEVA KALAKSHETRA COMPLEX
P.O. PANJABARI
GUWAHATI-37
DISTRICT- KAMRUP (M)
ASSAM.

20: HEMEN DAS
SON OF LATE MUHIRAM DAS
RESIDENT OF NABAJYOTI NAGAR
BYE LANE NO.7
P.O. PANJABARI
GUWAHATI-37
DISTRICT-KAMRUP (M)
ASSAM.

21: ASHIM CHUTIA
SON OF LATE PRABHAT CHUTIA
RESIDENT OF KHETRI
P.O. AND P.S. KHETRI
DISTRICT-KAMRUP (M)
ASSAM.

22: SITARAM BARMAN
SON OF LATE LEHERU BARMAN
RESIDENT OF SRIMANTA SANKARDEVA KALAKSHETRA COMPLEX
P.O. PANJABARI
GUWAHATI-37

DISTRICT-KAMRUP (M)
ASSAM.

23: SMTI PURNIMA BONGJANG
DAUGHTER OF SHRI NAREN BONGJANG
RESIDENT OF VILLAGE- THAKURKUCHI
P.O. CHANDRAPUR
P.S. PRAJYOTISHPUR
DISTRICT-KAMRUP (M)
ASSAM.

24: BADAN CHANDRA DAS
SON OF SRI BHABEN CH. DAS
RESIDENT OF SRIMANTA SANKARDEVA KALAKSHETRA COMPLEX
P.O. PANJABARI
GUWAHATI-37
DISTRICT-KAMRUP (M)
ASSAM.

25: SUKHESWAR BORO
SON OF LATE KABINDRA BORO
RESIDENT OF RUKMINI NAGAR
HOUSING COLONY
P.O. AND P.S. DISPUR
GUWAHATI-61 DISTRICT- KAMRUP (M)
ASSAM.

26: NITYANANDA GOSWAMI
SON OF LATE PAHARAM GOSWAMI
RESIDENT OF KAILASHNAGARMILL SIDE
P.O. PANJABARI
GUWAHATI-37
DISTRICT- KAMRUP (M)
ASSAM.

27: GAUTAM DEKA
SON OF LATE LUHIT DEKA
RESIDENT OF SRIMANTA SANKARDEVA KALAKSHETRA COMPLEX
P.O. PANJABARI
GUWAHATI-37
DISTRICT- KAMRUP (M)
ASSAM.

28: MANOJ KUMAR BORAH
SON OF SRI PADMA BORAH
RESIDENT OF SRIMANTA SANKARDEVA KALAKSHETRA COMPLEX
P.O. PANJABARI
GUWAHATI-37

DISTRICT-KAMRUP (M)
ASSAM

VERSUS

THE STATE OF ASSAM AND 3 ORS
REPRESENTED BY THE PRINCIPAL SECRETARY TO THE GOVT. OF ASSAM,
CULTURAL AFFAIRS DEPARTMENT, DISPUR, GUWAHATI-781006.

2:THE VICE CHAIRMAN
SRIMANTA SANKARDEVA KALAKSHETRA SOCIETY
PANJABARI
GUWAHATI-37
DISTRICT- KAMRUP (M)
ASSAM.

3:THE DIRECTOR OF CULTURAL AFFAIRS DEPARTMENT
ASSAM
RABINDRA BHAWAN
GUWAHATI-781001
DISTRICT- KAMRUP (V)
ASSAM.

4:RATNESWAR HAJONG
SON OF LATE DEBI CH. HAJONG
SON OF LATE DEBI CH. HAJONG
RESIDENT OF BONDA COLONY
P.O.BONDA
P.S.-CHANDRAPUR
DISTRICT-KAMRUP (M)
ASSAM

Advocate for the Petitioner : MR B BURAGOHAIN

Advocate for the Respondent : GA, ASSAM

BEFORE
HONOURABLE MR. JUSTICE MANISH CHOUDHURY

ORDER

Date : 26.10.2022

Heard Mr. N. Boruah, learned counsel for the petitioner; Mr. A. Chakraborty, learned Junior Government Advocate, Assam for the respondent nos. 1 & 3; and Mr. J.K. Goswami, learned counsel for the respondent nos. 2 & 4.

The respondent no. 4 in its affidavit-in-opposition has averred that Srimanta Sankardeva Kalashetra Society has already resolved to provide Gratuity, Leave Encasement and Pension/NPS facility in its Executive Council meeting held on 28.09.2020 and requested the Government in the Cultural Affairs Department for necessary direction.

In such view of the matter, an affidavit from the respondent nos. 1 & 3 appears necessary.

Mr. Chakraborty, learned Junior Government Advocate, Assam appearing for the respondent nos. 1 & 3 has prayed for and is granted 3 [three] weeks' time to file counter affidavit on behalf of the said respondents. Such affidavit shall apprise about the steps taken by the Government in terms of the resolution dated 28.09.2020 of the respondent Srimanta Sankardeva Kalashetra Society.

JUDGE

Comparing Assistant