

GAHC010216652025



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

Case No. : WP(C)/5872/2025

MRS. BABLI BISWAS
W/O DILIP BISWAS, RESIDENT OF WARD NO. 14, A.K. AZAD ROAD,
BISHNUPALLY, P.S AND DIST.- HOJAI, ASSAM, PIN- 782435.

VERSUS

THE STATE OF ASSAM AND 5 ORS.
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT.
OF ASSAM, HEALTH AND FAMILY WELFARE DEPARTMENT, DISPUR,
GUWAHATI-06

2:THE SECRETARY TO THE GOVT OF ASSAM
PWD (BUILDING AND NATIONAL HIGHWAY)
DISPUR
GUWAHATI- 06.

3:THE JOINT SECRETARY TO THE GOVT OF ASSAM
HEALTH AND FAMILY WELFARE DEPARTMENT
DISPUR
GUWAHATI 06

4:THE DIRECTOR OF HEALTH SERVICES
ASSAM
HENGRABARI
GUWAHATI- 36.

5:THE JOINT DIRECTOR OF HEALTH SERVICES
HOJAI
SANKARDEV NAGAR
ASSAM
PIN- 782442.

6:THE EXECUTIVE ENGINEER
PWD
NAGAON BUILDING DIVISION
SANDANPUR
NAGAON
ASSAM
PIN- 78200

Advocate for the Petitioner : MR. S. SUR, A RAHMAN

Advocate for the Respondent : SC, HEALTH, SC, PWD

BEFORE
HONOURABLE MR. JUSTICE SANJAY KUMAR MEDHI

ORDER

15.10.2025

Heard Shri S. Sur, learned counsel for the petitioner, who is aggrieved by non payment of rent by the Office of the Joint Director, Health Services with regard to the premises of the petitioner. It is projected that from 01.11.2020, the rent has not been paid in spite of utilising the premises.

Both Shri Upamanyu, learned Standing Counsel, Health Department and Ms. S. Sharma, learned Standing Counsel , PWD, have however raised a preliminary objection on the maintainability of the writ petition by submitting that the remedy lies before the Civil Court if at all there is any grievance with regard to non payment of rent.

Be that as it may, let notice be issued, returnable by 4 (four) weeks.

Shri Upamanyu, the learned Standing Counsel, Health Department accepts notice on behalf of the respondent nos. 1, 3, 4 and 5 whereas Ms. Sharma, the learned Standing Counsel, PWD accepts notice on behalf of the respondent nos. 2 and 6.

Extra copies of the writ petition be served upon the learned counsel for the respondents within 2 (two) working days from today.

JUDGE

Comparing Assistant