

GAHC010226752023



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

Case No. : WP(C)/5957/2023

MANORANJAN BARUAH AND ANR
S/O- LATE MATIRAM BARUAH

2: CHIMLEE BARUAH
D/O- MANORANJAN BARUAH

BOTH ARE R/O VILLAGE- JALAH (KHUTICHUBA)

P.O- PALAHGARH

P.S- TANGLA

DIST- TANGLA

DIST- UDALGURI (BTR)

ASSAM

PIN-784521

(AS THE PETITIONER NO. 2 IS A MINOR

THEREFORE SHE IS REP. BY THE PETITIONER NO. 1 AS NATURAL
GUARDIAN

VERSUS

THE STATE OF ASSAM AND 4 ORS

REP. BY THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM,
REVENUE (RELIEF AND REHABILITATION) AND DISASTER
MANAGEMENT DEPARTMENT
DISPUR, GUWAHATI-06.

2:THE COMMISSIONER AND SECRETARY
TO THE GOVERNMENT OF ASSAM
FINANCE DEPARTMENT
DISPUR
GUWAHATI-781006.

3:THE DISTRICT COMMISSIONER

DIST-UDALGURI
P.O AND P.S- UDALGURI
PIN-784509

ASSAM.

4:THE CIRCLE OFFICER

HARISINGA REVENUE CIRCLE
P.O- HARISINGA

DIST.- UDALGURI
PIN-784510
BTAD
ASSAM.

5:THE OFFICER IN CHARGE
KALAIGAON POLICE STATION

P.O- KALAIGAON
DIST- UDALGURI
ASSAM
PIN-78452

Advocate for the Petitioner : S I AKAND

Advocate for the Respondent : SC, REVENUE

**BEFORE
HONOURABLE MR. JUSTICE SUMAN SHYAM**

ORDER

Date : 09-10-2023

Heard Mr. S.I. Akand, learned counsel appearing for the writ petitioners.

The writ petitioners herein are the next of kin of late Babita Deka who died in a motor accident that took place on 09-02-2019. As per the standing Govt. circular dated 15-11-2014, the petitioners are entitled to receive *ex-gratia* compensation. However, since

the request made by them praying for relief has not been acted upon by the authorities, the instant writ petition has been filed.

Issue notice of motion returnable in 06 weeks.

Since Ms. G. Hazarika, learned standing counsel, Revenue Department, Assam has accepted notice on behalf of respondent No. 1, Mr. A. Chaliha, learned standing counsel, Finance Department, Assam for respondent No. 2 and Mr. S. Baruah, learned Govt. Advocate, Assam for respondent Nos. 3 to 5, service of notice is deemed to be complete in this case.

Extra copies of the writ petition, requisite in numbers, be furnished to the learned departmental counsel so as to enable them to obtain instruction and file affidavit.

JUDGE

GS

Comparing Assistant