

GAHC010226752023



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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, MR. R Deka

Advocate for the Respondent : SC, REVENUE, SC, FINANCE,GA, ASSAM

BEFORE
HONOURABLE MR. JUSTICE SANJAY KUMAR MEDHI

ORDER

24.02.2026

Heard Shri SI Akand, learned counsel for the petitioner. Also heard Shri N. Das, learned State Counsel and Shri Satyajeet Dutta, learned State Counsel, Revenue Department.

The matter is with regard to a claim for *ex gratia* compensation for the death of one Babita Deka by a motor vehicle accident occurring on 09.02.2019.

The claim is based on Government Circular dated 15.11.2014.

Both Shri Akand, learned counsel for the petitioner and Shri N. Das, learned State Counsel have fairly informed this Court that a Coordinate Bench of this Court in the case of ***Monisa Khatun @ Monisha Khatun*** reported in ***2024:GAU-AS:6090*** has held that for a motor vehicle case *simpliciter*, the aspect of payment of *ex gratia* would not apply.

Shri Akand, learned counsel for the petitioner has also informed that though a writ appeal was preferred in a similar case, the same was dismissed as being infructuous.

Be that as it may, in view of the principles laid down by a Coordinate Bench of this Court in the aforesaid case of ***Monisa Khatun*** (supra), this Court is of the view that there is no reason to have different opinion on the subject matter. Therefore, following the principles laid down in the aforesaid case, the instant writ petition is dismissed.

JUDGE

Comparing Assistant