

GAHC010230262022



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

Case No. : WP(C)/7239/2022

SMTI. MAMONI KAKATI
D/O- LATE MEDINI KAKOTI,
R/O- VILL. CHARING SANTIPARA GAON,
P.O.- HATIGHULI,
P.S.- GOURISAGAR,
DIST.- SIVASAGAR (ASSAM),
PIN- 785664.

VERSUS

THE STATE OF ASSAM 4 ORS.
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE
GOVERNMENT OF ASSAM,
SOCIAL WELFARE DEPARTMENT,
DISPUR, GUWAHATI-6.

2:THE DEPUTY SECRETARY TO THE GOVT. OF ASSAM
SOCIAL WELFARE DEPARTMENT

DISPUR
GHY-6.

3:THE DIRECTOR OF SOCIAL WELFARE DEPARTMENT
ASSAM
UZANBAZAR
GUWAHATI-1.

4:THE COMMISSIONER AND SECRETARY TO THE GOVERNMENT OF
ASSAM
FINANCE DEPARTMENT

DISPUR

GUWAHATI-6.

5:THE PRINCIPAL

SCHOOL FOR HEARING IMPAIRED

JORHAT

PIN- 785001

Advocate for the Petitioner : MR. I H SAIKIA

Advocate for the Respondent : GA, ASSAM

Linked Case : WP(C)/7585/2022

JYOTSHNA BORTHAKUR
D/O. LT. DEBENDRA NATH BORTHAKUR
VILL. BHATAMORA GAON
P.O. PORBOTIA (RRL)
P.S. PULIBOR
DIST. JORHAT
ASSAM
PIN-785006.

VERSUS

THE STATE OF ASSAM AND 4 ORS
REP. BY THE COMM. AND SECY. TO THE GOVT. OF ASSAM
SOCIAL WELFARE DEPTT.
DISPUR
GUWAHATI-06.

2:THE DEPUTY SECRETARY
TO THE GOVT. OF ASSAM
SOCIAL WELFARE DEPTT.
DISPUR
GUWAHATI-06.
3:THE DIRECTOR OF SOCIAL WELFARE DEPTT.

ASSAM
UZANBAZAR
GUWAHATI-01.

4:THE PRINCIPAL

THE SCHOOL OF HEARING IMPAIRED
JORHAT
PIN-785001.

5:THE COMMISSIONER AND SECY.
TO THE GOVT. OF ASSAM
FINANCE DEPTT.
DISPUR
GUWAHATI-06.

Advocate for : MR. I H SAIKIA

Advocate for : GA

ASSAM appearing for THE STATE OF ASSAM AND 4 ORS

BEFORE
HONOURABLE MR. JUSTICE SOUMITRA SAIKIA

ORDER

28.02.2024

Heard Mr. I.H. Saikia, learned counsel for the petitioner in both the writ petitions. Also heard Mr. C.K.S. Baruah, learned Government Advocate; Mr. C Sharma, learned counsel appearing on behalf of Mr. R.M. Das, learned Standing Counsel, Social Justice & Empowerment and Mr. R. Borpujari, learned Standing Counsel, Finance.

It is submitted by Mr. C.K.S. Baruah, learned Government Advocate appearing for the Social Welfare Department that Social Welfare Department has not been bifurcated into Social Justice and Empowerment and Directorate of Women and Child.

The grievances of the present writ petitioners are directed against the Department of Social Justice and Empowerment Department which department however is not arrayed as a party.

Considering the submissions made, this Court on the oral prayer of the

learned counsel for the petitioner directs that Social Justice and Empowerment Department, Government of Assam be arrayed as a party respondent No. 6. The petitioner counsel will file amended cause title to that effect before the Registry within one week from today.

Mr. C Sharma, learned counsel has appeared before the Court on behalf of Mr. R.M. Das and submits that Mr. Das is the Standing Counsel of Department of Social Justice and Empowerment.

Accordingly, let the matters be listed after two weeks.

Meanwhile the Department of Social Justice and Empowerment will furnish necessary instructions with regard to the claims of the writ petitioners

Extra copies of the writ petition be furnished to the learned Standing counsel and Registry to reflect the names of all the learned Standing Counsel in the cause list.

JUDGE

Comparing Assistant