

GAHC010241212023



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

Case No. : WP(C)/6249/2023

ARUN DAS AND 2 ORS
S/O ANIL DAS VILL PUB DHARAMTUL WARD NO. 3 P.O. DHARAMTUL P.S
JAGIROAD DIST MORIGAON PIN 782412

2: DIPAK DUTTA
SON OF LATE DANU DUTTA

VILLAGE- HATAKHOLA
WARD NO. 4
P.O.- DHARAMTUL
P.S.- JAGIROAD
DISTRICT- MORIGAON
PIN- 782412.

3: PRADIP CHANDRA MEDHI
SON OF CHANDU RAM MEDHI

VILLAGE- HATAKHOLA (SANTIPUR)
WARD NO. 4
P.O.- DHARAMTUL
P.S.- JAGIROAD
DISTRICT- MORIGAON
PIN- 782412

VERSUS

THE STATE OF ASSAM AND 5 ORS
REP BY ITS COMMISSIONER AND SECRETARY TO THE GOVT OF ASSAM
DEPTT OF PANCHAYAT AND RURAL DEVEOPMENT ASSAM DISPUR
GUWAHATI 6

2:THE DEPUTY COMMISSIONER
MORIGAON
MORIGAON

ASSAM- 782105.

3:THE BLOCK DEVELOPMENT OFFICER
MAYONG BLOCK
JAGIROAD
MORIGAON
ASSAM.

4:THE SECRETARY
DAKHIN-DHARAMTUL GAON PANCHAYAT
MORIGAON
ASSAM.

5:THE PRESIDENT
DAKHIN-DHARAMTUL GAON PANCHAYAT)

SON OF LATE ROBIN MEDHI

VILLAGE- HATAKHOLA (SANTIPUR)
P.O.- DHARAMTUL
P.S.- JAGIROAD
MORIGAON
ASSAM- 782412.

6:PALASH CHANDRA MEDHI
PRESIDENT OF DAKHIN-DHARAMTUL GAON PANCHAYAT)

SON OF LATE ROBIN MEDHI

VILLAGE- HATAKHOLA (SANTIPUR)
P.O.- DHARAMTUL
P.S.- JAGIROAD
MORIGAON
ASSAM- 782412

Advocate for the Petitioner : MR. A K BARUAH, MR. N MAHAJAN,MR A DAS

Advocate for the Respondent : GA, ASSAM, MR. T K BHUYAN (R-5,6),SC, P AND R.D.

**BEFORE
HONOURABLE MR. JUSTICE DEVASHIS BARUAH**

ORDER

Date : 01.04.2026

From the stand of the respondent No.6, it appears that there is no denial to the fact that the petitioner Nos. 1 and 2 are not entitled to the amount so claimed and in that regard, Mr. A.K. Baruah, the learned counsel appearing on behalf of the petitioners has submitted that the petitioner Nos. 1 and 2 have already received two kists money and only one kist is remaining. However, as regards the petitioner No. 3, it is the specific stand of the respondent No.6 that the petitioner No.3 is not eligible on the basis of an inspection report dated 22.12.2023 prepared by the Secretary of Dakhin Dharamtul Gaon Panchayat with the remark "Household who have got benefit under the Central/State rural housing schemes".

2. The learned counsel appearing on behalf of the petitioners drew the attention of this Court to the affidavit-in-reply filed by the petitioners wherein photographs as regards to the house constructed of the petitioner No.3 has been enclosed as Annexure- N to the said affidavit-in- reply.

3. Ms. N. Borah, learned counsel appearing on behalf of the Panchayat and Rural Development Department, shall obtain instructions on the contents of the said affidavit- in-reply filed by the petitioners and more particularly in respect to Annexure - N to the said affidavit- in-reply. In addition to that, the learned Standing Counsel for the P & RD shall obtain instructions as to when the third kist money of the petitioner Nos. 1 and 2 would be paid.

4. List this matter again on 1st of June 2026.

JUDGE

Comparing Assistant