

GAHC010259282022



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

Case No. : Cont.Cas(C)/46/2023

PANKAJ KALITA
S/O- LATE ARANI KALITA,
PRODUCER-DIRECTOR A.K CINE VISION,
FLAT NO- D-7, BLOCK D, SARAIGHAT HOUSING COMPLEX,
HATIGAON- BHETAPARA ROAD, BARSAJAI, GUWAHATI,
DIST- KAMRUP (M), ASSAM, PIN-781028

VERSUS

ANURAG GOEL AND 2 ORS.
PRINCIPAL SECRETARY, BODOLAND TERRITORIAL COUNCIL
SECRETARIAT, BODOFA NWGWR, KOKRAJHAR, BTR, ASSAM, PIN-783370

2:BIKRAM KAIRI
IAS
COMMISSIONER
PANCHAYAT AND RURAL DEVELOPMENT DEPARTMENT
JURIPAR
PANJABARI
GUWAHATI-37

3:SRI AKASH DEEP
IAS
PRINCIPAL SECRETARY
BODOLAND TERRITORIAL COUNCIL SECRETARIAT
BODOFA NWGWR
KOKRAJHAR
BTR
ASSAM-783370.

4:JAY SHIVANI
IAS

COMMISSIONER
PANCHAYAT AND RURAL DEVELOPMENT DEPARTMENT
JURIPAR
PANJABARI
GUWAHATI-781037

For the Petitioner(s) : Mr. A. Mannaf, Advocate

For the Respondent(s) : Ms. N. Choudhury, SC, BTC
: Mr. A. Bhattacharjee, Advocate

BEFORE
HONOURABLE MR. JUSTICE DEVASHIS BARUAH

ORDER

Date : 06.05.2026

This is an application filed alleging willful and deliberate violation to the order dated 17.12.2021 passed in WP(C) No.6132/2021 wherein the learned Coordinate Bench of this Court disposed of the said writ petition in terms with the order dated 17.12.2021 passed in WP(C) No.6482/2021.

2. It is pertinent to take note of that in terms with the order dated 17.12.2021 passed in WP(C) No.6482/2021, there was a direction upon the Principal Secretary, Bodoland Territorial Council for completing the necessary formalities within the stipulated period in terms with the order dated 15.11.2021 and to consider and pay the Petitioner as per the entitlement at an early date.

3. This Court also finds it very pertinent to take note of the order dated 15.11.2021 passed by the Principal Secretary of the Bodoland Territorial Council that verification would be carried out within a period of 6 (six) months from the date of issue of the order dated 15.11.2021 and thereupon payment would be made in terms with the judgment of the Full Bench of this Court in the case of ***Tamsher Ali and Others Vs. State of Assam and Others reported in 2008 (4) GLT 1.***

4. Taking into account the said directions, it is the opinion of this Court that the Respondent No.2 and Respondent No.4 in the instant contempt application have nothing to do inasmuch as the directions were specifically upon the BTC Authorities.

5. Consequently, this Court therefore strikes out the names of the Respondent Nos. 2 and 4 thereby dropping the contempt proceedings against them.

6. This Court has also taken note of that every time a new incumbent joins the post of the Principal Secretary, Bodoland Territorial Council, the Petitioner had taken steps and it is being also informed that at present, the Respondent No.3 is no longer discharging the functions of the Principal Secretary, Bodoland Territorial Council and the present Principal Secretary of the Bodoland Territorial Council is one Mr. Mukesh Chandra Sahu.

7. Taking into account the directions which were passed by this Court in the order dated 17.12.2021, this Court directs the Bodoland Territorial Council more particularly the present Principal Secretary, Bodoland Territorial Council to apprise this Court as to whether, in compliance to the order dated 15.11.2021, steps have been taken to verify as to whether the Petitioner is entitled to any amount and further, if verifications have been done, as to whether the name of the Petitioner has been included in the chronological list which is maintained for disbursing the amounts payable to the contractors.

8. Ms. N. Choudhury, the learned standing counsel of the BTC shall obtain such information and place the same before this Court on the next date.

9. List the matter again on 22.06.2026.

10. The name of Ms. N. Choudhury, the learned standing counsel of the BTC be reflected in the Cause List.

11. In the meantime, the Petitioner would take steps for impleadment of the present Principal Secretary of the Bodoland Territorial Council by filing appropriate application.

JUDGE

Comparing Assistant