

GAHC010266492024



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

Case No. : WP(C)/6762/2024

KHANINDRA KUMAR NATH
S/O LATE JOY CHANDR ANATH
R/O HOLI GOGOI PATH, GOROLI NEAR SARASUJAI STADIUM, P.O.
SAUKUCHI, P.S. BASISTHA,
GUWAHATI, DIST. KAMRUP, ASSAM

VERSUS

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

2:THE SECRETARY TO THE GOVT. OF ASSAM

ENVIRONMENT AND FORESTS DEPARTMENT
DISPUR
GUWAHATI-6.

3:THE PRINCIPAL CHIEF CONSERVATOR OF FORESTS
AND HEAD OF FORESTS FORCE
ASSAM
PANJABARI
GUWAHATI-22.

4:THE ADDITIONAL PRINCIPAL CHIEF CONSERVATOR OF FORESTS

SOCIAL FORESTRY
ASSAM

GUWAHATI NOW RE-DESIGNATED AS PRINCIPAL CHIEF CONSERVATOR
OF FORESTS

SOCIAL FORESTRY
ASSAM
GUWAHATI-22.

5:THE PRINCIPAL ACCOUNTANT GENERAL (A AND E)

ASSAM
MAIDAMGAON
GUWAHATI-2

Advocate for the Petitioner : MR. J I BORBHUIYA, MR. L MOHAN,MRS. K H
CHOUDHURY,MR A HOSSAIN,W.H. DEVI

Advocate for the Respondent : SC, FOREST, MR D BHATTACHARYA,MR. J K GOSWAMI

BEFORE
HONOURABLE MR. JUSTICE SUMAN SHYAM

ORDER

Date : 13/05/2025

Heard Mr. J.I. Barbhuiya, learned counsel for the writ petitioner. Also heard Mr. D. Gogoi, learned Standing Counsel, Forest Department, Assam, appearing for the respondent nos. 1 to 4 and Mr. D. Bhattacharjee, learned Standing Counsel, Office of the AG (A&E), Assam, representing the respondent no. 5. Mr. Sachindra Das, Joint Secretary to the Government of Assam, Environment and Forest Department, Assam, is personally present before this Court in terms of the order dated 03/04/2025 and submit that since the Secretary is on leave for attending a training programme, he is the incharge Secretary of the Department.

On a pointed query made by the Court, Mr. D. Gogoi, learned Standing Counsel, Forest Department, Assam, in consultation with the Joint Secretary to the Government of Assam, personally present before the Court today, has made a categorical submission that within a week from today, an amount of Rs. 5,96,446/- would be deposited in the account of the petitioner. That apart, his application for release of provisional pension will also be processed if the same is received by the Government. Mr. Gogoi, accordingly, seeks posting of this matter again in the next week, so as to enable him to do the needful.

Taking note of the facts and circumstances of the case and the request made by Mr. Gogoi, this writ petition is directed to be listed again on 26/05/2025, as a fixed item.

On or before the next date fixed, an affidavit, bringing on record the steps taken in terms of the present order, shall be filed by serving advance copy upon the petitioner's counsel.

Facilitating the release of provisional pension, the petitioner to submit requisite application during the course of the day, if so advised.

The Secretary to the Government of Assam (In-charge), Environment and Forest Department, Assam, shall remain personally present again on the next date fixed.

List again on 26/05/2025.

JUDGE

Comparing Assistant