

GAHC040015422019



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

Case No. : PIL 22/2019

1:Likha Denia
W/o Likha Lohit, aged about 29 years, resident of Yazali Village, Dist. Lower
Subansiri, AP

VERSUS

1:THE UNION OF INDIA AND 4 ORS.
represented by the Secretary, Ministry of Women and child Development, Govt. of
India, new Delhi

2:THE STATE OF AP
represented by the Commissioner and Secretary
Govt. of AP
Deptt. of Social welfare
Govt. of AP
Itanagar

3:The Commissioner and Secretary
Deptt. of Health and Family welfare
Govt. of AP
Itanagar

4:The Deputy Director
ICDS
Yazali
Dist
Lower Subansiri
AP

5:The Child Development Programme Officer
Yazali
Dist. Lower Subansiri
A

Advocate for the Petitioner : Sunil Mow

Advocate for the Respondent : CGC

Linked Case : PIL 21/2019

1:Toko Soni
W/o Toko Togur
resident of Talo village
District Lower Subansiri
AP

VERSUS

1:THE UNION OF INDIA AND 4 ORS.
represented by the Secretary
Ministry of Women and child Development
Govt. of India
New Delhi

2:THE STATE OF AP
represented by the Commissioner/Secretary
Govt. of AP
Deptt.of Social welfare
Govt. of AP
Itanagar

3:The commissioner and Secretary
Deptt. of Helath and Family welfare
Govt. of AP
Itanagar

4:The Deputy Director
ICDS
Yachuli
Dist. Lower Subansiri
AP

5:The Chief Development Programme Officer
Yachuli
Dist. Lower Subansiri

AP

Advocate for the Petitioner : Sunil Mow
Advocate for the Respondent : CGC

BEFORE
HONBLE MR. JUSTICE NANI TAGIA
HONBLE MR. JUSTICE DEVASHIS BARUAH

ORDER

Date : 19-05-2022

(Nani Tagia, J)

Heard Mr. S. Mow, learned counsel for the petitioners and Mr. S. Tapin, learned senior Government Advocate representing the respondent nos. 2, 4 & 5 as well as Mr. T. Tagum, learned Standing counsel for the Health Department representing respondent no. 3.

Though the learned ASGI, Mr. M. Kato representing the Union of India has not appeared today, a representation has been made by one, Mr. T. Dailyang, learned counsel on his behalf.

During the course of hearing, it has been noticed that for effective adjudication of this PIL, response from the Union of India is essential. Though the matter has been pending adjudication since the year 2019, no counter-affidavit has been filed till date by the respondent no. 1 nor the learned Standing counsel for the Union of India is present today. Under the circumstances, we are of the considered view that Union of India, the respondent no. 1, is not rendering assistance to this Court for effective adjudication of this PIL.

At this stage, Mr. T. Dailyang, learned counsel has made a prayer on

behalf of Mr. M. Kato, learned ASGI, to list the matter on 23.05.2022, on which date, the ASGI, Mr. Kato shall be present before this Court with proper instruction from the Department in connection with these PIL.

List it accordingly on 23.05.2022.

JUDGE

JUDGE

Comparing Assistant