

GAHC010134542022



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

Case No. : PIL(Suo Moto)/3/2022

XXX
XXX

VERSUS

1. IN RE- THE STATE OF ASSAM AND 4 ORS.
REPRESENTED BY THE CHIEF SECRETARY, JANATA BHAWAN, DISPUR,
GUWAHATI-781006

2:THE PRINCIPAL SECRETARY TO THE GOVT. OF ASSAM
REVENUE AND DISASTER MANAGEMENT DEPARTMENT
JANATA BHAWAN, DISPUR, GUWAHATI-781006

3:THE DEPUTY COMMISSIONER, NAGAON
OLD TRUNK ROAD, CHRISTIANPATTY
NAGAON-782001

4:THE DIRECTOR GENERAL OF POLICE
ASSAM POLICE HEADQUARTERS
ULUBARI, GUWAHATI-781007

5:THE SUPERINTENDENT OF POLICE, NAGAON, ASSAM.

Linked Case : WP(C)/239/2024

RASHIDA KHATUN
W/O- LATE SAFIQUL ISLAM
R/O- VILLAGE SALONIBARI, NAGAON
P.O- AMLAKHIGAON, P.S- DHING, DIST- NAGAON

VERSUS

1. THE STATE OF ASSAM AND 7 ORS
TO BE REP. BY THE CHIEF SECRETARY TO THE GOVERNMENT OF ASSAM
DISPUR GUWAHATI-06

2:PRINCIPAL SECRETARY
TO THE GOVERNMENT OF ASSAM
HOME AND POLITICAL DEPARTMENT
DISPUR, GUWAHATI-06

3:THE DIRECTOR GENERAL OF POLICE,ASSAM
ASSAM POLICE HEADQUARTERS
ULUBARI, GUWAHATI-07

4:THE SUPERINTENDENT OF POLICE,NAGAON
O/O THE SUPERINTENDENT OF POLICE
CHRISTIANPATTY, NAGAON
PIN-782001, ASSAM

5:THE DISTRICT COMMISSIONER
OLD TRUNK ROAD, CHRISTIANPATTY
NAGAON, PIN-782001, ASSAM

6:THE OFFICER IN CHARGE
BATADRAVA POLICE STATION
BATRADAVA SARUHISA, BORDUA
NAGAON, ASSAM, PIN-782122

7:THE OFFICER IN CHARGE
OF AHOMGAON POLICE OUTPOST
JAJORI ROAD, TUKTUKI, AHOMGAON
PIN-782123, NAGAON, ASSAM

8:THE OFFICER IN CHARGE
OF DHING POLICE STATION
DHING CHARIALI, NAGAON
PIN-782123, ASSAM

For the Petitioner(s) : Mr. H.K. Das, Standing Counsel, Gauhati High Court in PIL
(Suo Moto) No.3/2022.
: Mr. Z. Khalid, Advocate for the petitioner in WP(C)
No.239/2024.

For the Respondent(s) : Mr. D. Nath, Senior Government Advocate, Assam.
: Mr. D.K. Sarmah, Additional Senior Government Advocate,
Assam.
: Ms. N. Bordoloi, Standing Counsel, Revenue Department.
: Mr. P. Nayak, Standing Counsel, Finance Department.

– BEFORE –
HON'BLE THE CHIEF JUSTICE MR. VIJAY BISHNOI
HON'BLE MR. JUSTICE SUMAN SHYAM

03.05.2024

(Vijay Bishnoi, CJ)

PIL(Suo Moto) No.3/2022

Respective counsel appearing for the Home and Political (A) Department, Government of Assam, has submitted that the amount of compensation has already been determined and the matter is referred to the Finance Department for payment of compensation to the 6(six) persons, whose houses were demolished.

Mr. P. Nayak, learned Standing Counsel, Finance Department prays for and is granted a week's time to apprise this Court as to by what time the compensation would be paid to the affected persons pursuant to the proposal sent by the Home and Political (A) Department, Government of Assam.

WP(C) No.239/2024

This writ petition [WP(C) No.239/2024] is filed by the petitioner, whose husband was subjected to custodial death, for seeking appropriate compensation from the State of Assam.

Despite service of notice upon the State respondents and even after lapse of considerable time, no reply to the writ petition is filed by the State respondents.

Mr. D. Nath, learned Senior Government Advocate, Assam prays for and is

granted last opportunity of a week's time to file reply to the writ petition. Mr. Nath is further directed to respond as to why interim compensation be not granted to the petitioner during the pendency of this writ petition [WP(C) No.239/2024].

List both these writ petitions [PIL(Suo Moto) No.3/2022 and WP(C) No.239/2024] on 14.05.2024.

JUDGE

CHIEF JUSTICE

Comparing Assistant