

GAHC010050092022



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

Case No. : Cont.Cas(C)/141/2022

URMILA DEVI
W/O- LATE DHIRAJ KR. SARMA, R/O- VILL.- THAMNA, P.O. THAMNA, P.S.
MUSHALPUR, DIST. BAKSA (B.T.A.D), ASSAM

VERSUS

SIDDHARTH SINGH AND 4 ORS
COMMISSIONER AND SECRETARY TO THE GOVERNMENT OF ASSAM,
HEALTH DEPARTMENT, DISPUR, ASSAM SECRETARIAT, 4TH FLOOR, A-
BLOCK, GUWAHATI-06.

2:PREETOM SAIKIA
COMMISSIONER AND SECRETARY TO THE GOVERNMENT OF ASSAM
HIGHER EDUCATION DEPARTMENT
DISPUR
ASSAM SECRETARIAT
GROUND FLOOR
C-BLOCK
GUWAHATI-06.

3:MANISH THAKUR
COMMISSIONER AND SECRETARY TO THE GOVERNMENT OF ASSAM
FINANCE DEPARTMENT
DISPUR
GROUND FLOOR
D-BLOCK
JANATA BHAWAN
GUWAHATI-06.

4:DIPAK MAZUMDAR
SECRETARY TO THE GOVERNMENT OF ASSAM
HIGHER EDUCATION DEPARTMENT

DISPUR
ASSAM SECRETARIAT
GROUND FLOOR
C BLOCK
GUWAHATI-06.

5:DHARMAKANTA MILI
DIRECTOR
HIGHER EDUCATION
ASSAM
KAHILIPARA
GUWAHATI-19

Advocate for the Petitioner : MR. S N KRISHNATRAYA

Advocate for the Respondent : MR. K GOGOI

BEFORE

HON'BLE MR. JUSTICE ACHINTYA MALLA BUJOR BARUA

O R D E R

22.09.2023

Mr. K Gogoi, learned counsel for the respondents in the Higher Education Department has produced a communication from the Director of health Services, Assam addressed to the Joint Secretary to the Government of Assam in the Higher Education Department dated 21.09.2023, wherein it is stated that the admissible amount towards the medical reimbursement bill of the deceased husband of the petitioner is Rs. 1, 78, 870/-. Accordingly, the Joint Secretary in the Higher Education Department had sent a communication dated 22.09.2023 to the Principal Accountant General (A&E), Assam for payment of Rs. 1, 78, 870/- towards the medical reimbursement bill in respect of late Dhiraj Kumar Sarma, former Assistant Professor of Bajali College, Pathsala with a copy to Smti Urmila Devi, who in fact is the contempt petitioner.

2. Accordingly, the Principal Accountant General (A&E), Assam is directed to do the needful that the petitioner Urmila Devi receives the said amount within a period of fifteen days from the date of receipt of a certified copy of this order.
3. The contempt petitioner shall also furnish a copy of this order in the office of the Principal Accountant General (A&E), Assam.
4. Mr. S N Krishnatraya, learned counsel for the petitioner expresses dissatisfaction over the amount of Rs. 1, 78, 870/- stating that it is inadequate and not the appropriate amount the petitioner is entitled. If it is so, the petitioner is given the liberty to assail the said order. But, however, the admitted amount be paid to the petitioner in the meantime.
5. We have taken note of the provisions at paragraph 10 of the order dated 17.11.2021 in WP(C) No. 6030/2021 that as per the communication of the Director of Higher Education, Assam dated 15.09.2016, there is a sanction of an amount of Rs. 5, 97, 737/- towards the reimbursement of the medical bill of the deceased husband of the petitioner and accordingly, the departmental authorities in the Higher Education Department, Finance Department and Health Department were directed to do the needful to ensure that the sanctioned amount of Rs. 5,97,737/- be paid to the petitioner. But, in course of the hearing of the contempt petition, it is clarified both by Mr. K Gogoi, learned counsel for the Higher Education Department as well as Mr. B Gogoi, learned counsel for the Finance and Health Department that the said amount was merely a proposal for sanction and not a sanction by itself.
6. If the petitioner is further aggrieved, the said aspect may also be assailed.

With the above, the contempt petition stands closed.

The communication produced by Mr. K Gogoi, learned counsel for the Higher

Education Department is kept on record.

JUDGE

Comparing Assistant