

GAHC010019912024



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

Case No. : WP(C)/484/2024

TUTUMANI BHUYAN
W/O- SRI BHABESH SARMA, VILL.- JALAH, P.O. JALAHGHAT, P.S. SIMLA,
DIST. BAKSA (BTR), ASSAM, PIN- 781327.

VERSUS

THE BODOLAND TERRITORIAL COUNCIL AND 4 ORS
REPRESENTED BY THE SECRETARY, BODOLAND TERRITORIAL COUNCIL
(BTC), KOKRAJHAR, WOMEN AND CHILD DEVELOPMENT DEPARTMENT,
KOKRAJHAR, PIN- 783370.

2:THE JOINT DIRECTOR AND CHIEF HEAD OF DEPARTMENT
BODOLAND TERRITORIAL COUNCIL (BTC)
KOKRAJHAR
ASSAM
PIN- 783370.

3:THE PROGRAMME OFFICER
DIVISIONAL INTEGRATED CHILD DEVELOPMENT SCHEME (ICDS) CELL
KOKRAJHAR
ASSAM
PIN- 7813370.

4:THE CHILD DEVELOPMENT PROJECT OFFICER (CDPO)

JALAH INTEGRATED CHILD DEVELOPMENT SCHEME (ICDS) PROJECT
JALAH
DIST. BAKSA
ASSAM
PIN- 781327.

5:THE CHILD DEVELOPMENT PROJECT OFFICER (CDPO)

GORESWAR INTEGRATED CHILD DEVELOPMENT SCHEME (ICDS)
PROJECT
GORESWAR
DIST. TAMULPUR
PIN- 781366

Advocate for the Petitioner : MR. U K DAS

Advocate for the Respondent : GA, ASSAM

BEFORE
HONOURABLE MR. JUSTICE SOUMITRA SAIKIA

ORDER

Date : 01.02.2024

Heard Mr. U. K. Das, learned counsel for the petitioner. Also heard Mr. B. Choudhury, learned standing counsel, BTC.

2. This writ petition is filed by the petitioner putting to challenge the order dated 4th December, 2023 in so far as the writ petitioner is concerned, whereby the petitioner was transferred from Jalah ICDS project District Baksa, to Goreswar ICDS Project, District, Tamulpur.

3. The grievance of the petitioner is that she has two minor children and her mother in law, who is aged about 92 years, is suffered fractures on her left shoulder and hip, and is bed ridden and is required to be under constant medical treatment.

4. Under such circumstances, the petitioner has represented before the Joint Director-cum-CHD, Women and Child Development, BTC, Kokrajhar requesting for reconsideration of the transfer orders issued. The first representation was filed on 15.12.2023. Since no reply was received, the petitioner had filed another representation dated 24.01.2024. However, till date, no replies have

been received from the office of the Joint Director Joint Director-cum-CHD, Women and Child Development, BTC, Kokrajhar.

5. Mr. B. Choudhury, learned standing counsel, BTC submits that he has no instructions in the matter, but considering that the two representations are pending, the matter can be disposed of directing the department to dispose of the representations expeditiously.

6. Having heard the learned counsels for the parties and taking into consideration the submissions made by the learned counsels, this writ petition stands disposed of with a direction to the respondent No.2, namely, the Joint Director and Chief Head of Department, Bodoland Territorial Council (BTC), Kokrajhar, Assam, who will look into the grievances of a petitioner stated to have been placed by way of the representation dated 15.12.2023 and 24.01.2024. The respondent No.2 will thereafter pass appropriate orders in the matter taking into consideration the grievances raised by the writ petitioner.

7. The matter be considered and disposed of within a period of 7 (seven) days from the date of receipt of a certified copy of this order.

8. Till such disposal, the impugned order dated 04.12.2023 passed by the respondent no.2, in so far as the writ petitioner is concerned, shall not be given effect to.

9. The respondent counsel is also permitted to furnish a certified copy of this order before the competent authority.

10. Writ petition stands disposed of in terms of the above.

JUDGE

Comparing Assistant