

GAHC010044742024



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

Case No. : I.A.(Civil)/727/2024

AIMONI KAKATI
W/O. SRI NAGENDRA NATH BHUYAN, VILL. TEOK TINGAR GAON
(MAHARA), P.O. AND P.S. TEOK, DIST. JORHAT, ASSAM, PIN-785112.

VERSUS

THE STATE OF ASSAM AND 5 ORS
REP. BY THE COMMISSIONER AND SECY. TO THE GOVT. OF ASSAM,
SOCIAL WELFARE DEPTT., DISPUR, GUWAHATI-06

Advocate for the Petitioner : MR. I H SAIKIA

Advocate for the Respondent : GA, ASSAM

BEFORE
HONOURABLE MR. JUSTICE NELSON SAILO

ORDER

22.03.2024

Heard Mr. K. Kalita, learned counsel for the applicant. Also heard Ms. M. Bhattacharjee, learned Additional Senior Government Advocate, Assam for the respondent nos. 1 to 5 and Mr. R. Borpujari, learned Standing Counsel, Finance Department for the respondent no.6.

Mr. K. Kalita, learned counsel for the applicant submits that by filing this application the applicant seeks amendment of the writ petition in the manner shown against Paragraph nos. 2, 3 & 4 of the application. Learned counsel submits that inadvertently the applicant had failed to give the relevant particulars while making this claim in the main writ petition and therefore, amendment is required. Learned counsel submits that same will not change the nature and character of the writ petitioner and therefore, the application may be allowed.

Ms. M. Bhattcharjee, learned Additional Senior Government Advocate, Assam, on the other hand submits that the amendment sought for will change the nature and character of the writ petition. However, she is unable to pin point or substantiate as to how the proposed amendment will cause the change in the nature and character of the writ petition. Therefore, upon perusal of the application and its contents, the Court is inclined to grant the application for amendment as *prima facie* it appears that the same will not change the nature and character of the writ petition.

Accordingly, the Interlocutory Application stands disposed of and allowed.

JUDGE

Comparing Assistant