

GAHC010107672024



2024:GAU-AS:11930

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

Case No. : I.A.(Civil)/1686/2024

MD. SAMSHUL HAQUE
S/O- LT. SAIDUR RAHMAN BARBHUYAN, R/O- VILL- BAKOLA, P.O.
BAKOLA, P.S. JAMUGURI, DIST.- SONITPUR, ASSAM, PIN- 784182

VERSUS

THE STATE OF ASSAM AND 4 ORS.
REP. BY THE SECY. TO THE GOVT. OF ASSAM, REVENUE AND DISASTER
MANAGEMENT DEPTT., DISPUR, GHY-6, ASSAM

2:JOINT SECRETARY
IMPLEMENTATION OF ASSAM ACCORD DEPTT.
DISPUR
GHY-6
ASSAM

3:THE DY. COMMISSIONER
SONITPUR
ASSAM

4:THE CIRCLE OFFICER
NADUAR REVENUE CIRCLE
SATIA
DIST.- SANITPUR
ASSAM

5:ASSAM MARTYRS AND VICTIMS AID TRUST
UZANBAZAR
GHY
ASSAM
REP. BY ITS PRESIDEN

Linked Case : WP(C)/249/2021

MD. SAMSHUL HAQUE
S/O- LT. SAIDUR RAHMAN BARBHUYAN
R/O- VILL- BAKOLA
P.O. BAKOLA
P.S. JAMUGURI
DIST.- SONITPUR
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SATIA
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ASSAM

5:ASSAM MARTYRS AND VICTIMS AID TRUST
UZANBAZAR
GHY
ASSAM
REP. BY ITS PRESIDENT

For the petitioner (s) : Mr. A. Sahad, Advocate

For the respondent (s) : Mr. M. Chetia, Advocate

BEFORE
HON'BLE MR. JUSTICE DEVASHIS BARUAH
ORDER

29.11.2024

Heard Mr. A. Sahad, the learned counsel appearing on behalf of the petitioner and Mr. M. Chetia, the learned counsel appearing on behalf of the respondents.

2. Mr. A. Sahad, the learned counsel appearing on behalf of the petitioner submits that the directions which were passed by this Court vide the judgment and order dated 20.09.2023 in WP(C) No.249/2021 can be effectively enforced if the directions were issued to the respondent No.2, i.e. the Joint Secretary, Implementation of Assam Accord Department in as much as the ex-gratia is to be paid by that Implementation of Assam Accord Department and not by the Revenue and Disaster Management Department.

3. Taking into account the above, this Court observes that the directions which are contained in paragraph No.7 of the judgment and order dated 20.09.2023 in WP(C) No.249/2021 to the Commissioner and Secretary, Government of Assam,

Revenue and Disaster Management Department be read as directions to the Joint Secretary, Implementation of Assam Accord Department, Dispur.

4. The instant order shall be a part of the order dated 20.09.2023 passed in WP(C) No.249/2021.

5. In view of the above, the instant I.A. stands disposed of.

JUDGE

Comparing Assistant