

GAHC010142162022



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

Case No. : Cont.Cas(C)/407/2022

SUMITRA DAS
W/O- LATE DIGENDRA DAS, R/O- VILL.- KAULI, NARAYANPUR, P.O.
NARAYANPUR, P.S. TAMULPUR, DIST. BAKSA (BTAD), ASSAM, PIN- 781372

VERSUS

GYANENDRA DEV TRIPATHI
COMMISSIONER AND SECRETARY TO THE GOVERNMENT OF ASSAM,
REVENUE (RELIEF AND REHABILITATION BRANCH) AND DISASTER
MANAGEMENT DEPARTMENT, DISPUR, GUWAHATI-781006.

Advocate for the Petitioner : MR. R Deka

Advocate for the Respondent : MS. N BORDOLOI (R-1)

BEFORE
HON'BLE MR. JUSTICE KAUSHIK GOSWAMI

O R D E R

09.04.2024.

Heard Mr. S.I. Akand, learned counsel appearing on behalf of the petitioner. Also heard Ms. N. Bordoloi, learned counsel appearing for the sole respondent.

2) This Contempt Petition is preferred against willful and deliberate violation

of the order dated 10.02.2022, passed by this Court in WP(C) No.4745/2020.

3) By order dated 10.02.2022, this Court directed the respondent No.1 to consider the prayer of the petitioner as regards the entitlement in terms of the Notification dated 15.11.2014 and after due verification as regards the petitioner's entitlement, if it is found that the petitioner is entitled to the said payment, the ex-gratia payment of Rs.2 Lakhs may be released to the petitioner. It was further directed by the aforesaid order that the said exercise shall be completed within a period of two months from the date of receipt of certified copy of this order.

4) Despite of the aforesaid direction, since the respondent authorities did not pay the aforesaid ex-gratia amount to the petitioner, the present Contempt Petition has been filed.

5) Today when the matter has been called, it is submitted by Ms. N. Bordoloi, learned counsel appearing for the sole respondent that she has received instruction in the matter from the office of the Principal Secretary to the Govt. of Assam, Revenue and Disaster Management Department, Assam vide letter dated 30.08.2023, which is placed on record and marked as 'X' to indicate that in compliance with the order of this Court dated 10.02.2022, as mentioned above, the respondent authorities verified the claim of the petitioner and in terms of the Notification applicable, the petitioner was found to be entitled only to an amount of Rs.1 Lakh, as ex-gratia grant.

6) I have perused the aforesaid letter which indicates that the victim who died due to road accident is eligible for ex-gratia grant of Rs.1 Lakh.

7) It appears that in view of the Notifications dated 15.11.2014 and 24.04.2007, the petitioner has been paid a sum of Rs.1 Lakh.

- 8) Mr. S.I. Akand, learned counsel for the petitioner also affirms that his client has received the aforesaid amount.
- 9) As such, the order of this Court stands complied.
- 10) Accordingly the Contempt Petition stands closed.

JUDGE

Comparing Assistant