

GAHC010151582024



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

Case No. : I.A.(Civil)/2356/2024

CHANDANA KOCH
D/O- LATE DHIREN CH KOCH, R/O- SANKARDEV NAGAR, WARD NO. 9,
P.O /P.S- MORIGAON, DIST- MORIGAON, ASSAM

VERSUS

PASHOK BABU IAS AND 3 ORS
REPRESENTED BY THE SECRETARY TO THE GOVT. OF INDIA, DEPTT. OF
HOME AFFAIRS, NEW DELHI, INDIA.

2:SRI MUNINDRA NATH NGATEY

THE DIRECTOR OF HEALTH SERVICES
HENGRABARI
GUWAHATI- 36

3:SRI DEVASHISH SHARMA

THE DEPUTY COMMISSIONER
MORIGAON DISTRICT

4:ARUN KUMAR NATH
JOINT DIRECTOR OR HEALTH SERVICES
MORIGAON DISTRICT
ASSA

Advocate for the Petitioner : MR. P BOIRAGI, MR. S J SARMAH,A TALUKDAR,MR G G
GOGOI,MRS. B TALUKDAR

Advocate for the Respondent : ,

Linked Case : MC/89/2023

CHANDANA KOCH
D/O- LATE DHIREN CH KOCH
R/O- SANKARDEV NAGAR
WARD NO. 9
P.O /P.S- MORIGAON
DIST- MORIGAON
ASSAM

VERSUS

SAMIR K. SINHA
IAS AND 3 ORS
REPRESENTED BY THE SECRETARY TO THE GOVT. OF INDIA
DEPTT. OF HOME AFFAIRS
NEW DELHI
INDIA.

2:D HOJAI
THE DIRECTOR OF HEALTH SERVICES
HENGRABARI
GUWAHATI- 36

3:HEMEN DAS
THE DEPUTY COMMISSIONER
MORIGAON DISTRICT

4:UDYAN BORDOLOI
JOINT DIRECTOR OR HEALTH SERVICES
MORIGAON DISTRICT
ASSAM

Advocate for : MR. P BOIRAGI
Advocate for : appearing for SAMIR K. SINHA
IAS AND 3 ORS

**BEFORE
HONOURABLE MR. JUSTICE KAUSHIK GOSWAMI**

ORDER

Date : 23.09.2024

Heard Mr. S.J. Sarmah, learned counsel for the applicant.

By way of this application, the applicant is seeking impleadment of (1) Sri. P. Ashok Babu, IAS, the Commissioner & Secretary to the Govt. of Assam, Health and Family Welfare Department, (2) Sri Munindra Nath Ngatey, the Director of Health Services, Hengerabari, (3) Sri Devashish Sharma, the Deputy Commissioner, Dist: Morigaon, and (4) Dr. Arun Kumar Nath, the Joint Director of Health Services, Dist: Morigaon in I.A.(Civil) No. 3692/2023 and Cont.Cas(C) No. 475/2018.

Mr. S.J. Sarmah, learned counsel for the applicant submits that the Cont.Cas(C) No. 475/2018 was closed by this Court on 03.08.2022 for non-appearance of the petitioner and as such, an I.A. being I.A.(Civil) No. 3692/2023 and a misc. case, i.e., MC No. 89/2023 was filed for review/restoring the contempt case alongwith a delay condonation application.

He further submits that when the said I.A.(Civil) No. 3692/2023 was listed before this Court on 20.03.2024, in view of the fact that the present respondents are not holding the posts in questions, this Court allowed the prayer of the petitioner to file appropriate application for impleadment of necessary parties.

He accordingly submits that situated thus, the present impleadment application has been filed.

I have given my prudent consideration to the submissions made by the learned counsel for the applicant and have perused the materials available on record.

It appears that in view of the change of incumbents to the subject posts, the present application has been filed to bring on the new incumbents to the subject posts on record as arrayed respondents.

Accordingly, the application is allowed by directing impleadment of (1) Sri. P. Ashok Babu, IAS, the Commissioner & Secretary to the Govt. of Assam, Health and Family Welfare Department, (2) Sri Munindra Nath Ngatey, the Director of Health Services, Hengerabari, (3) Sri Devashish Sharma, the Deputy Commissioner, Dist: Morigaon, and (4) Dr. Arun Kumar Nath, the Joint Director of Health Services, Dist: Morigaon as party respondents in I.A.(Civil) No. 3692/2023 as well as in Cont.Cas(C) No. 475/2018.

Let the amended cause title be furnished in I.A.(Civil) No. 3692/2023 and Cont.Cas(C) No. 475/2018.

JUDGE

Comparing Assistant