

GAHC010167252023



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

**Case No. : WP(C)/4386/2023**

RASHIDA KHATUN  
W/O LATE SAYED AHMED, VILL-BANIAMARIPT-VII, P.O.-RANGAPANI, P.S.-  
GAURIPUR, DIST-DHUBRI, ASSAM, PIN-783339

VERSUS

THE STATE OF ASSAM AND 5 ORS  
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT.  
OF ASSAM, REVENUE (R AND R) AND DISASTER MANAGEMENT  
DEPARTMENT, DISPUR, GUWAHATI-781006

2:THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM  
FINANCE DEPARTMENT  
DISPUR  
GUWAHATI-781006

3:THE DEPUTY COMMISSIONER  
DHUBRI  
ASSAM  
PIN-783301

4:THE SUPERINTENDENT OF POLICE  
DHUBRI  
ASSAM  
PIN-783301

5:THE CIRCLE OFFICER  
ATHANI REVENUE CIRCLE  
DIST-DHUBRI  
ASSAM  
PIN-783349

6:THE OFFICER-IN-CHARGE  
NAYAHAT BAZAR  
DHUBRI  
ASSAM  
PIN-78330

**Advocate for the Petitioner** : MR. A ALI

**Advocate for the Respondent** : SC, REVENUE

**B E F O R E**  
**HON'BLE MR. JUSTICE KAUSHIK GOSWAMI**  
**ORDER**

**23.02.2024**

Heard Mr. S. Islam, learned counsel for the petitioner. Also heard Mr. S. R. Bora, learned Junior Government Advocate, Assam for respondent Nos. 3, 4, 5 and 6, Mr. A. Bhattacharjee, learned Standing Counsel, for the Revenue Department and Mr. B. Gogoi, learned Standing Counsel, Finance Department.

**2.** By filing the writ petition, the petitioner is seeking ex-gratia compensation of Rs. 2,00,000/- (Rupees Two lakh) only in terms of the Government Notification dated 15.11.2014 in relation to the death of her husband due to road accident in public place by vehicle.

**3.** The case of the petitioner in brief is that the petitioner's husband met with an accident on the way to attend duties when he was hit by a truck driven negligently and rashly causing the death of her husband on the spot. Because of the death of the husband, the petitioner is facing various difficulties and financial hardship in maintaining day to day expenses. The petitioner accordingly by an application dated 19.07.2022 prayed before the office of the District Commissioner, Dhubri for grant and releasing an amount of Rs. 2 lakhs as ex-gratia compensation under the scheme of ex-gratia compensation as notified by the Government of Assam with the Notification

dated 15.11.2014 to the next of kin who become victim of the unusual death or injuries as mentioned in the said notification.

**4.** I have heard the submissions made at the bar and I have perused the materials available on record.

**5.** It appears from page 18 annexure-1 to the writ petition that the petitioner has produced the next of kin Certificate which indicates that the petitioner is the next of kin of her husband i.e. Late Sayed Ahmed.

**6.** In view of the above, I am of the considered view that this writ petition can be disposed of with a direction to the office of the District Collector, Dhubri to cause an appropriate inquiry on the merit of the claim and to release ex-gratia relief to the petitioner, if found eligible, within a period of three months from the date of receipt of a certified copy of this order.

**7.** With the above observation and direction, this writ petition stands allowed to the extent indicated above.

**JUDGE**

**Comparing Assistant**