

GAHC010176842022



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

Case No. : WP(C)/5823/2022

JAYANTA DAS
S/O. LT. GUNINDRA CH. DAS @ GUNINDRA DAS,
VILL.- PAHUMARA GAON,
P.O.- PAHUMARA,
P.S. NORTH LAKHIMPUR,
DIST.- LAKHIMPUR, ASSAM,
PIN- 781309.

VERSUS

THE STATE OF ASSAM AND 4 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT.
OF ASSAM, REVENUE (R AND R) AND DISASTER MANAGEMENT
DEPARTMENT, DISPUR, GHY-6.

2:THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM
FINANCE DEPARTMENT
ASSAM
DISPUR
GHY-6.

3:THE DEPUTY COMMISSIONER
LAKHIMPUR
NORTH LAKHIMPUR
ASSAM
PIN- 787001.

4:THE SUPERINTENDENT OF POLICE
LAKHIMPUR
NORTH LAKHIMPUR
ASSAM
PIN- 787001

5:THE CIRCLE OFFICER
NAOBOICHA REVENUE CIRCLE
P.S.- NORTH LAKHIPUR
DIST. LAKHIMPUR
ASSAM
PIN- 787023

For the Petitioner(s) : XX

For the Respondent(s) : Ms. G. Hazarika,
SC, Revenue Department

BEFORE
HONOURABLE MR. JUSTICE DEVASHIS BARUAH

ORDER

Date : 03-10-2024

None appears on behalf of the petitioner on call. Ms. G. Hazarika appears on behalf of the Revenue and Disaster Management Department.

2. The learned counsel for the Revenue Department submitted that taking into account the documents on record, it would show that the petitioner was hit by a vehicle bearing Registration No. AS 07C 5327 and as such the petitioner is not entitled to the benefit of ex-gratia in terms with the Notification dated 15.11.2014.

3. The learned counsel appearing on behalf of the Revenue Department has further placed before this Court the order dated 21.06.2024 passed by the Co-ordinate Bench of this Court in Monisa Khatun @ Monisha Khatun Vs. State of Assam and 5 Ors.(WP© No. 2700/2023) wherein it has been categorically provided that the benefit under the Notification dated 15.11.2014 would not be available in respect

to such claims, wherein the vehicle which had caused the accident have been identified.

4. Taking into account the judgment passed by the Co-ordinate Bench of this Court in Monisa Khatun @ Monisha Khatun (supra), the instant writ petition stands dismissed.

JUDGE

Comparing Assistant