

GAHC010217672024



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

Case No. : WP(C)/5403/2024

SMTI GUDDI KUMARI @ SMTI GURIYA KUMARI AND ANR
W/O LATE KUMAR GAURAV, R/O SHIV PURI DAMU CHAK, NEAR SHIV
MANDIR, LANE NO. 01, SARAIYA SADULLAHPUR, P.O.- MUZAFFARPUR,
DIST-MUZAFFARPUR, BIHAR-842001

2: MS SNEHA SURBHI
D/O LATE KUMAR GAURAV
R/O SHIV PURI DAMU CHAK
NEAR SHIV MANDIR
LANE NO. 01
SARAIYA SADULLAHPUR
P.O.- MUZAFFARPUR
DIST-MUZAFFARPUR
BIHAR-84200

VERSUS

THE STATE OF ASSAM AND 3 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY, HOME AND
POLITICAL DEPARTMENT, GOVERNMENT OF ASSAM, DISPUR,
GUWAHATI-781006

2:THE COMMISSIONER OF POLICE
GUWAHATI METROPOLITAN CITY
PAN BAZAR
GUWAHATI-781001

3:THE OFFICER-IN-CHARGE
NOONMATI POLICE STATION
NOONMATI
GUWAHATI

4:SMTI MEENA DEVI
W/O LATE UMESH KUMAR SINGH

R/O VILL- KAMARTHU
P.S.-GAIGHAT
DIST-MUZAFFARPUR
BIHAR
PIN-843118

5:THE SUPERINTENDENT OF GAUHATI MEDICAL COLLEGE AND
HOSPITAL
(GMC AND H)
GUWAHATI-78103

Advocate for the Petitioner : MR. R DUBEY, MS N B KAYASTHA,MR. A N I HUSSAIN,MS. A
B KAYASTHA

Advocate for the Respondent : GA, ASSAM, MR. B GOGOI

BEFORE
HONOURABLE MR. JUSTICE SOUMITRA SAIKIA

ORDER

27.11.2024

Heard Mr. R. Dubey, learned counsel for the petitioner. Also heard Mr. N. Goswami, learned Government Advocate for the State.

This writ petition has been filed seeking the following prayers:

“In the premises aforesaid, it is respectfully prayed that your Lordships would be pleased to issue a notice of show cause to the respondents as to why a writ of nature of Mandamus should not be issued upon the respondents, more particularly respondent no. 3 to forthwith provide a copy of post mortem report of Late Kumar Gaurav to the petitioners herein and upon cause or causes that may be shown and after hearing the parties may be pleased to make the Rule absolute and/or may pass such further order or orders as your Lordships may deem fit and proper in the facts and circumstances of the case so as to give full and complete relief to the petitioner.

-AND-

In the interim, this Hon'ble Court may grant a liberty to the respondents stating that the pendency of the writ petition shall not be a bar for the respondents to furnish a copy of post mortem report of Late Kumar Gaurav to the petitioners herein and /or pass such order/orders as Your Lordships may deem fit and

proper.”

During the course of the proceedings, the post-mortem report was placed before the Court by the respondents. The Court directed the respondents to file an affidavit.

It is submitted by the learned counsel for the respondents that the affidavit has been filed on 22.11.2024 by the respondent No. 5 enclosing therewith the post-mortem report conducted on the deceased husband of the petitioner No. 1 and father of the Petitioner No. 2. The learned counsel for the respondents acknowledges the receipt of the affidavit along with the post-mortem report.

In that view of the matter, since the prayer made in the writ petition has been answered by the respondents, no further relief as claimed for, the writ petition stands closed as not pressed.

Interim order if any stands merged.

The petitioner is entitled to take certified copies of any pleadings that is filed before the Court and counsel for the respondents shall acknowledge the certified copy of the pleadings, if any.

Accordingly, the writ petition stands disposed of.

JUDGE

Comparing Assistant