

GAHC010225772024



2024:GAU-AS:11228

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

Case No. : I.A.(Civil)/3400/2024

JUTILA MEDHI
W/O- LATE JOYCHARAN MEDHI, R/O- VILL. MAJKUCHI, P.O. PATBAUSHI,
DISTRICT- BARPETA, ASSAM, PIN- 781314

VERSUS

THE STATE OF ASSAM AND 4 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT.
OF ASSAM, HEALTH AND FAMILY WELFARE DEPARTMENT, DISPUR,
GUWAHATI- 781006

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

3:THE DIRECTOR
HEALTH AND FAMILY WELFARE
HENDERABARI
GUWAHATI- 781036

4:THE PRINCIPAL ACCOUNTANT GENERAL (A AND E)
ASSAM
MAIDAMGAON
GUWAHATI- 781029
DIST- KAMRUP (M)
ASSAM

5:SMT. BHANU DAS
W/O- LATE SATYAJIT MEDHI
C/O- LATE MADHAB DAS
R/O- BARPETA

ISSAPUR HATI WARD NO. 21
P.O. AND P.S. BARPETA
DIST.- BARPETA
ASSAM
PIN- 781321

6:THE DIRECTOR

ACCONUTS AND TREASURIES
GOVT. OF ASSAM
KALAGURU BISHNU RABHA FLYOVER
DISPUR
GANESHGURI
GUWAHATI-78100

Advocate for the Petitioner : MR. N K KALITA,

Advocate for the Respondent : SC, AG, SC, HEALTH AND F W

BEFORE
HONOURABLE MR. JUSTICE KAUSHIK GOSWAMI

ORDER

Date : 18.11.2024

Heard Mr. N. K. Kalita, learned counsel for the petitioner. Also heard Ms. S. Sharma, learned counsel for the respondent nos. 1 and 3, Mr. R. Boro, learned counsel for the respondent no.4.

By way of this application, the petitioner is seeking impleadment of Director of the Accounts and Treasuries, Government of Assam as respondent no. 6 in WP(C) No.3576/2024.

It appears that the petitioner filed the accompanying writ petition seeking proportionate share of companionate family pension of her deceased son, who was an employee under Health and Family Welfare Department, Government of Assam.

However, while filing the accompanying writ petition, the petitioner inadvertently did not implead the Director of the Accounts and Treasuries, Government of Assam as party respondent.

It further appears that while the accompanying writ petition was taken up for admission hearing on 23.09.2024, the presence of the aforesaid Director of the Accounts and Treasuries, Government of Assam appeared to be necessary and accordingly time was given for doing the needful.

In view of the above, it appears that the presence of Director of the Accounts and Treasuries, Government of Assam is essential and necessary for effective adjudication of the writ petition.

Accordingly, the impleadment application stands allowed.

As such, it is directed that Director of the Accounts and Treasuries, Government of Assam be impleaded as party respondent no. 6. Let an amended cause title be submitted before the Registry for doing the needful.

Disposed of.

JUDGE

Comparing Assistant