

GAHC010243372023



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

Case No. : WP(C)/6356/2023

ANJUMANI DEKA
W/O- PURNA DEKA,
VILL- KHALIHAI GAON,
P.O.- GANESH KUNWARI,
P.S.- SIPAJHAR,
DIST.- DARRANG, ASSAM,
PIN- 784145.

VERSUS

THE STATE OF ASSAM AND 5 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT.
OF ASSAM,
REVENUE (RELIEF AND REHABILITATION) AND DISASTER
MANAGEMENT DEPARTMENT,
DISPUR, GUWAHATI-06.

2:THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM
FINANCE DEPARMENT
DISPUR
GUWAHATI- 06.

3:THE DISTRICT COMMISSIONER
DARRANG
MANGALDOI

ASSAM
P.O.- MANGALDOI

P.S.- MANGALDOI

DIST.- DARRANG

ASSAM

PIN -784145.

4:THE CIRCLE OFFICER
SIPAJHAR REVENUE CIRCLE
P.O.- SIPAJHAR

P.S.- SIPAJHAR

DIST.- DARRANG
ASSAM

PIN- 784145.

5:THE SUPERINTENDENT OF POLICE
DARRANG
MANGALDOI
ASSAM

P.O. AND P.S.- MANGALDOI

DIST.- DARRANG
ASSAM

PIN- 784145.

6:THE OFFICER-IN-CHARGE
SIPAJHAR POLICE STATION
P.O.- SIPAJHAR

DIST- DARRANG
ASSAM

PIN- 784145

Advocate for the Petitioner : MR. M HUSSAIN

Advocate for the Respondent : SC, REVENUE

**BEFORE
HONOURABLE MR. JUSTICE KAUSHIK GOSWAMI**

ORDER

Date : 14.06.2024

Heard Mr. M. Hussain, learned counsel for the petitioner. Also heard Mr. A.Bhattacharjee, learned Standing Counsel for the Revenue Department and Ms. M. Barman, learned Government Advocate for respondent Nos. 3 to 6 and Mr. B. Gogoi, learned Finance Department for respondent No. 2.

2. By filing this petitioner under Article 226 of the Constitution of India, the petitioner is seeking ex-gratia compensation amount of Rs. 200,000/-(Rupees two lakh) only in terms of the Notification dated 15.11.2014 of the Revenue & Disaster Management Department on the ground of his son having been died in an accident occurred at a public place on 27.02.2023.

3. In terms of Notification dated 15.11.2014, the Government of Assam was pleased to provide reliefs in respect of persons who were killed due to accident in public places. As per the aforesaid guidelines, a sum of Rs. 200,000/- has been quantified against such accident.

4. It appears from the Next of Kin Certificate enclosed as annexure-6 to the writ petition that the petitioner is the mother of the victim. It further appears that the District Administration has already accorded sanction for payment of Rs. 200,000/- lakhs as ex-gratia to the next of kin of the deceased victim who died in accident in public place as per the report of the Circle Officer, Sipajhar Revenue Circle, Sipajhar.

5. It further appears that despite of the aforesaid sanction order, the amount has not been released to the petitioner.

6. In view of the above, this Court is of the considered view that this writ petition can be disposed of with a direction to the concerned respondent authorities to release the aforesaid sanction amount to the petitioner within a period of two months from the date of receipt of the certified copy of this order.

7. Needless to clarify that the respondents in the concerned Department shall facilitate the release of the said payment to the petitioner.

With the above observation and direction, the writ petition stands disposed of.

JUDGE

Comparing Assistant