

GAHC010028932024



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

Case No. : Review.Pet./39/2024

MUSSTT HASINA BEGUM
W/O- LT. JOYMAL ABEDIN SHEIKH, R/O- HARAPUTA, P.O. HARAPUTA, P.S.
GOSAIGAON, DISTRICT- KOKRAJHAR, BTR, ASSAM

VERSUS

THE STATE OF ASSAM AND 5 ORS
PRESENTED BY THE COMMISSIONER AND SECRETARY, TO THE
DEPARTMENT OF HOME AND POLITICAL, ASSAM, DISPUR, GUWAHATI-6

2:THE DIRECTOR GENERAL OF POLICE
HEADQUARTER- ULUBARI
GUWAHATI-7

3:THE ADDITIONAL DIRECTOR GENERAL OF POLICE
APRO
HEADQUARTER- ULUBARI
GUWAHATI-7

4:INSPECTOR GENERAL OF POLICE (COMMUNICATION)
ASSAM
HEADQUARTER- ULUBARI
GUWAHATI-7

5:THE ACCOUNTANT GENERAL
MAIDAM GOAN
BELTOLA
GUWAHATI-21

6:MUSSTT ANOWARA KHATUN
S/O LATE SUBAL CHANDRA RAY
RESIDENT OF VILLAGE LALKURA

PO SAHEBGANJ
PS GAURIPUR
DIST DHUBRI
ASSAM 78333

Advocate for the Petitioner : MR. J KALITA

Advocate for the Respondent : GA, ASSAM

Linked Case : WP(C)/7022/2023

MUSSTT ANOWARA KHATUN
W/O- LT. JOYNAL ABEDIN SHEIKH
R/O- KAZIPARA
PT-I (AZAD NAGAR)
P.S. AND P.O.- CHAPAR
DISTRICT- DHUBRI
ASSAM
PIN CODE- 783301

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P.O. HARAPUTA
P.S. GOSAIGAON
DISTRICT- KOKRAJHAR
BTR
ASSAM

Advocate for : MR P KATAKI
Advocate for : GA
ASSAM appearing for THE STATE OF ASSAM AND 5 ORS

BEFORE
HONOURABLE MR. JUSTICE SOUMITRA SAIKIA

ORDER

Date : 01.04.2024

Heard Mr. J. Kalita, learned counsel for the petitioner. Mr. A. Chakraborty, learned Government Advocate for respondent Nos. 1 to 4; Mr. B. Chakraborty, learned Standing counsel, Accountant General.

Issue Notice Returnable after 4(four) weeks.

It is submitted that this review petitioner was arrayed as respondent No.6 in WP(C)/7022/2023, which was disposed of on 09.01.2024 at the motion stage without issuing notice to the present review petitioner. It was submitted that the private respondent No.6 is the second wife of late Joymal Abedin Sheikh and the review petitioner is the first wife.

It is submitted that the second wife who approached this Court by filing the writ petition being WP(C)/7022/2023 did not disclose before the Court that she was also a Government employee and did not require any maintenance and therefore, the order dated 09.01.2024 passed in WP(C)/7022/2023 by which the

writ petition was disposed of relegating the petitioner to approach the departmental authority was passed as there was suppression of material facts by the private respondent. Accordingly, the present review petition has been filed.

Issue Notice Returnable after 4(four) weeks.

Since the learned Standing counsels appears, Notices waived, however, extra copies be furnished within a period of 1 (one) week from today.

Steps be taken on respondents by Registered Post with A/D as well as by usual course. Dasti is also permitted.

JUDGE

Comparing Assistant