

GAHC010270162023



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

Case No. : WP(C)/7064/2023

JAMELA KHATUN
W/O LT. ALTAB HUSSAIN VILL AND P.O. GOURNAGAR DIST. GOALPARA
ASSAM

VERSUS

THE STATE OF ASSAM AND 3 ORS
REP BY THE COMMISSIONER AND SECRETARY TO THE GOVT OF ASSAM
SOCIAL WELFARE DEPTT WOMEN AND CHILD DEVELOPMENT DISPUR
GHY-6

2:THE DIRECTOR
SOCIAL WELFARE DEVELOPMENT ASSAM GUWAHATI 5

3:THE DISTRICT COMMISSIONER GOALPARA
DIST GOALPARA ASSAM

4:THE CHILD DEVELOPMENT PROJECT OFFICER
JALESWAR ICDS PROJECT GOURNAGAR GOALPARA DIST. GOALPARA
ASSAM

Advocate for the Petitioner : MR. H ALI

Advocate for the Respondent : GA, ASSAM

BEFORE
HONOURABLE MR. JUSTICE MANISH CHOUDHURY

ORDER

Date : 15-02-2024

Heard Mr. H. Ali, learned counsel for the petitioner and Ms. M. Barman, learned Junior Government Advocate, Assam for all the respondents.

2. The case of the petitioner is that she is the owner of an Assam Type House, situate at Gournagar, District – Goalpara and the said house was taken on rent to run the office of the respondent no. 4 since 2001. But the office of the respondent no. 4 was shifted suddenly in the month of November, 2023 without paying the agreed rental amount for the period from February, 2019 to November, 2023. Seeking a direction to the respondent authorities to pay the arrear house rents which, according to the petitioner, is Rs. 4, 01,744/-, the petitioner has instituted the instant writ petition.

3. The notice was issued to the respondents on 13.12.2023.

4. Ms. Barman, learned Junior Government Advocate, Assam appearing for the respondents has placed a copy of the Communication bearing no. CDPO[Jal] HR/09/2001-02/100 dated 08.02.2024 of the respondent no. 4, that is, the Child Development Project Officer, Jaleswar ICDS Project, Gournagar, Goalpara. The said Communication is addressed to the respondent no. 2, that is, the Director, Women & Child Development, Assam [earlier known as the Director, Social Welfare Department, Assam]. It is noticed from the said Communication that the respondent no. 4 has thereby, forwarded a proposal for grant of sanction of an amount of Rs. 4,13,940/- in the name of the petitioner towards house rent in respect of the accommodation of the office of the Child Development Project Officer, Jaleswar ICDS Project, Gournagar, Goalpara for the period from 01.02.2019 to 21.11.2023. Ms. Barman has submitted that the matter is presently pending before the Director, Women & Child Development, Assam and after due consideration, the sum of Rs. 4,13,940/- would be disbursed in favour of the petitioner in the bank account indicated in the said Communication. Ms. Barman has further submitted that the entire process will be completed on or before 31.03.2024.

5. Mr. Ali, learned counsel for the petitioner has submitted that if the petitioner receives the said amount on or before 31.03.2021, the petitioner will have no objection.

6. In view of the submissions made by the learned counsel for the parties in the above

manner and the broad consensus arrived at the afore-stated manner and considering the fact that a proposal for an amount of Rs. 4,13,940/- has already been submitted for disbursal to the petitioner for house rent, as claimed by the petitioner, this Court is of the considered view that instead of keeping this writ petition pending, the same can be disposed of with a direction to the respondent authorities, more particularly, the respondent no. 2 to bring the process of sanctioning and disbursing the amount of Rs. 4,13,940/- to the petitioner on or before 31.03.2024. It is accordingly ordered.

7. The petitioner shall submit a certified copy of this order at the office of the Director, Women & Child Development, Assam for the purpose of taking necessary steps from the end of the said authority.

JUDGE

Comparing Assistant