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

Case No. : WP(C)/1804/2024

AMIRUL HOQUE
S/O- LATE ADAL ALI, RESIDENT OF VILL- TENGA GAON, P.O. AMGURI, P.S. SORBHOG, DIST.- BARPETA, ASSAM, PIN- 781317

VERSUS

THE STATE OF ASSAM AND 6 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVERNMENT OF ASSAM, REVENUE AND DISASTER MANAGEMENT DEPARTMENT, (RELIEF AND REHABILITATION BRANCH), DISPUR, GUWAHATI- 781006

2:THE COMMISSIONER AND SECRETARY TO THE GOVERNMENT OF ASSAM
FINANCE DEPARTMENT
DISPUR
GUWAHATI- 781006

3:THE DISTRICT COMMISSIONER OF BONGAIGAON DISTRICT
ASSAM
BORO BAZAR
BORPARA
MAYAPURI
BONGAIGAON
PIN- 783380

4:THE DISTRICT COMMISSIONER OF BARPETA DISTRICT
ASSAM
P.O. AND P.S.- BARPETA
PIN- 781314

5:THE CIRCLE OFFICER

BIJNI REVENUE CIRCLE
DIST.- BONGAIGAON
ASSAM
PIN- 783390

6:THE CIRCLE OFFICER
BARNAGAR REVENUE CIRCLE
SORBHOG
DIST.- BARPETA
ASSAM
PIN- 781317

7:THE OFFICER-IN-CHARGE OF MANIKPUR POLICE STATION
DIST.- BONGAIGAON
ASSAM
PIN- 78339

Advocate for the Petitioner : MR. R Deka, S I AKAND

Advocate for the Respondent : GA, ASSAM, SC, REVENUE,SC, FINANCE DEPTT.

BEFORE
HONOURABLE MR. JUSTICE SANJAY KUMAR MEDHI

ORDER

24.04.2026

Heard Shri S.I. Akand, learned counsel for the petitioner. Also heard Shri A. Bhattacharjee, learned Standing Counsel, Revenue Department as well as Ms. M. Barman, learned State Counsel.

The claim is for *ex-gratia* for an accidental death involving a motor vehicle.

Both the learned counsel has however fairly submitted that this Court in WP(C)/2700/2023 has passed an order dated 21.06.2024 that since the Motor Vehicles Act provides for an appropriate forum for claiming compensation, such compensation would not be covered by the notifications which are relied upon in the instant case.

Following the said judgment, the instant petition is closed, however, with liberty to the petitioner to approach the concerned MACT, if not done in the meantime.

JUDGE

Comparing Assistant