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

Case No. : WP(C)/1910/2026

SMTI BHABANI BARUAH
WIFE OF LATE PRANJIT BARUAH PRESENT RESIDENT OF BISHNUJYOTI NAGAR PATH BESIDES A.Z. ENTERPRISE, PALASBARI ROAD ,DHARAPUR CHARIALI, GUWAHATI 781017

VERSUS

STATE OF ASSAM AND 3 ORS
REPRESENTED BY THE CHIEF SECRETARY TO THE GOVT OF ASSAM, DISPUR, GUWAHATI- 06

2:THE DEPUTY COMMISSIONER
GOALPARA ASSAM 782105

3:THE CERTIFICATE OFFICER
OFFICE OF THE DEPUTY COMMISSIONER GOALPARA ASSAM 782105

4:SRI MANOJ RAY
SON OF BABUL RAY RESIDENT OF KHARA MEDHIPARA PO AND PS DUDHNOI DISTRICT GOALPARA ASSAM 78312

Advocate for the Petitioner : DR. P AGARWAL,

Advocate for the Respondent : GA, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE SOUMITRA SAIKIA

ORDER

06.11.2026

1. Heard Dr. P. Agarwal, learned counsel for the petitioner and Mr. H.

Sharma, learned counsel appearing for the State

2. This petition is filed by the petitioner aggrieved that the respondent Nos. 2 and 3 did not take any steps to recover the amount in terms of the judgment and award dated 21.6.2016 in MAC Case No. 272 of 2014 rendered by the MACT, Goalpara with further interest of 6% effective from the date of 11.8.2015. Although the recovery certificate dated 26.12.2013 was issued by the MACT, Goalpara in MAC (M.EX.) No. 2 of 2022 to the Certificate Officer/District Collector, he has failed to collect the same and the respondents 2 and 3 did not proceed for the recovery of the said amount from the private respondent No. 4, who was the owner of the offending vehicle. Being aggrieved, the petitioner is before this Court.

3. Pursuant to issuance of notice, the State has filed their affidavit. The affidavit of the State contains a communication issued by the Certificate Officer, Goalpara that the respondent No. 5 appeared before the Bakijai Court and submitted that his present economic condition is pathetic and he could only manage Rs. 20,000/- and deposit the same to the Bakijai Court.

4. The learned counsel for the petitioner submits that direction be issued to the Certificate Officer for recovery of the amount as awarded by the judgment and award dated 21.6.2016 in MAC Case No. 272 of 2014 rendered by the MACT, Goalpara.

5. Having heard counsel for parties and upon perusal of the pleadings available before this Court, it is seen that the writ petitioner is before the Court with a specific prayer seeking a direction to expedite the recovery of compensation awarded by MACT, Goalpara in MAC Case No. 272 of 2014.

6. Considering the averments made in the affidavit as also upon considering

the submissions of the learned Government Advocate, it is seen that the Certificate Officer has proceeded in the matter by issuing notice on the private respondent No. 4.

7. Under such circumstances, this Court is of the view that the matter can be closed at this stage issuing a direction to respondent Nos. 2 and 3 to expedite the recovery of the awarded amount by the MACT, Goalpara in MAC Case No. 272 of 2014 by the judgment and award dated 21.6.2016. The Officer will take all steps within his power to recover the amount from the respondent No. 4 and remit it to the petitioner.

8. The petitioner is also permitted to approach the Bakijai Court with her applications, if any, for necessary orders on such prayers as may be made by the petitioner.

9. Writ petition disposed of in terms of the above.

JUDGE

Comparing Assistant