

GAHC010015972020



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

Case No. : I.A.(Civil) 196/2020

1: RUBUL SARMAH AND 23 ORS
CHILD DEVELOPMENT PROJECT OFFICER, BOKO BONGAON ICDS
PROJECT, P.O. BOKO, DIST. KAMRUP (R)

2: THE STATE OF ASSAM
REPRESENTED BY THE COMMISSIONER AND SECY. TO THE GOVT. OF
ASSAM
SOCIAL WELFARE DEPTT.
DISPUR
GUWAHATI 781006

3: THE PRINCIPAL SECRETARY TO THE GOVT. OF ASSAM

SOCIAL WELFARE DEPARTMENT
DISPUR
GUWAHATI - 781006.

4: THE ADDITIONAL CHIEF SECRETARY TO THE GOVT. OF ASSAM

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6: THE DEPUTY SECRETARY TO THE GOVT. OF ASSAM

SOCIAL WELFARE DEPARTMENT DISPUR
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7: THE DIRECTOR

SOCIAL WELFARE DEPARTMENT
UZANBAZAR
GUWAHATI- 781001.

8: THE ASSAM PUBLIC SERVICE COMMISSION

REP. BY ITS CHAIRMAN
JAWAHARNAGAR
KHANAPARA
GUWAHATI - 781022.

9: SRI BIDYUT HAZARIKA
CHILD DEVELOPMENT PROJECT OFFICER
LAHARIGHAT ICS PROJECT
P.O. LAHARIGHAT
DIST.MORIGAON

10: RAJU CHETRI

PRINCIPAL
BAL- BHAWAN
DIBRUGARH
DIST. DIBRUGARH.

11: KRISHNA CHETRI
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BISWANATH ICDS PROJECT
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12: NASREEN SULTANA
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14: UTTAM ADHIKARI
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KALIABOR ICDS PROJECT

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15: JATISH BARUAH
CHILD DEVELOPMENT PROJECT OFFICER
BAGINADI ICDS PROJECT
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DIST. LAKHIMPUR.

16: RUBI KALITA
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TEZPUR URBAN ICDS PROJECT
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17: KHAGENDRA UPADHAYA

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18: BHOLANATH PEGU
CHILD DEVELOPMENT PROJECT OFFICER
KARBIANGLONG ICDS PROJECT
DIST. KARBIANGLONG.

19: DIPAK TALUKDAR
CHILD DEVELOPMENT PROJECT OFFICER
GORESWAR ICDS PROJECT
P.O. GORESWAR
DIST. BAKSA.

20: MANJU RAJKHOWA
CHILD DEVELOPMENT PROJECT OFFICER
C/O COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM
SOCIAL WELFARE DEPARTMENT
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21: DUDU DUTTA
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DIMOW ICDS PROJECT
PO. DIMOW
DIST. SIVASAGAR.

22: DR. SYED NASIUR RAHMAN

CHILD DEVELOPMENT PROJECT OFFICER
HAJO ICDS PROJECT
P.O. HAJO

DIST. KAMRUP (R).

23: SAYED JUUWELL KAZI

PRINCIPAL
VTRC
BARAMA
P.O. BARAMA
DIST. BAKSA.

24: JYOTI BIKASH DUTTA

CHILD DEVELOPMENT PROJECT OFFICER
KALIPANI ICDS PROJECT
P.O. TIOK
DIST. JORHAT

VERSUS

1:SIMANTA PRADIP CHOUDHURY AND 18 ORS
S/O LATE AMULYA COUDHURY, R/O MILAN NAGAR, BARPETA ROAD,
DIST. BARPTA, ASSAM, PIN 781315

2:GUNINDRA TALUKDAR
S/O LATE RADHA KANTA TALUKDAR
R/O GANDHI NAGAR
WARD NO. 16. J.M. PATH
BARPETA
PIN- 781301.

3:ANUPAM DAS
S/O SRI APURBA KUMAR DAS
R/O VILL- CHANDANPUR BARPETA
ASSAM
PIN - 781315.

4:SANTOSH KUTUM
S/O LATE C.R. KUTUM
R/O RUKMINIGAON
SADHANI PATH
HOUSE NO. 36
GUWAHATI
ASSAM
PIN - 781022.

5: BHUPEN BHATTACHARJEE
S/O SRI KHANIN KUMAR BHATTACHARJEE
R/O HOUSE NO. 181
HENGRABARI
GUWAHATI
KAMRUP
PIN - 781036.

6: IRANI THAKURIA
S/O LATE C.K. THAKURIA

R/O NAGAON
DIST. BARPETA
PIN- 781370.

7: JYOTI KUMAR DAS
S/O LATE ASHWINI KUMAR DAS
R/O VILL- BRINDABAN HATI
WARD NO. 9
BARPETA
PIN - 781301.

8: BRAJENDRA NATH DAS
S/O LATE NARESWAR DAS

R/O VILL- MADHYA METUAKUCHI
SUKHALATA CHOUDHURY PATH
WARD NO. 18
DIST. BARPETA
ASSAM
PIN - 781301.

9: MAINUL HAQUE CHOUDHURY
S/O LATE DAGU MIAH
R/O VILL- PALHAZI
BARPETA
ASSAM
PIN - 781309.

10: MONIKA BARTHAKUR
D/O SRI SARAT CHANDRA BARTHAKUR
R/O B.G. ROAD
AMULAPATTY
ITACHALI
PIN - 782003.

11: SRI JITU DEKA

S/O SRI GIRISH DEKA
R/O HATIGARH
KARBI PATH
GEETA NAGAR
PIN - 781024.

12:JAYANTA KUMAR DAS
S/O AMOLAPATTY
BARPETA
WARD NO. 5
ASSAM
PIN - 781301.

13:JINTU MONI PHUKAN
S/O SRI BIPIN CHANDRA PHUKAN
R/O SIVANAGAR
BYE LANE NO. 2
NAGAON
PIN - 782003.

14:KUKHESWAR BORAH
S/O PULESWAR BORAH
R/O HOUSE NO. 46
SWADESH NAGAR
KHANAPARA
KAMRUP
GUWAHATI - 781022.

15:RUDRA PRASAD DAS
S/O LATE HARI PRASAD DAS
R/O RAJGARH LINK ROAD

GUWAHATI- 781005.

16:SRI NILESWAR ROY
S/O LATE PRANESWAR ROY
R/O NATUN PARA
NEW BONGAIGAON

SHANTI NIBAS
PIN - 783380.

17:BRINCHI KUMAR BORAH
S/O LATE UMAKANTA BORAH
R/O VILL- NONOI PANIGAON
NAGAON
PIN - 782001.

18:DHIRAJ KUMAR TALUKDAR
S/O LATE NARAYAN TALUKDAR
R/O VILL- CHAPAGURI
BARPETA
PIN - 781318.

19:BODIOZZAMAN AHMED
S/O LATE ABDUL KARI

R/O HATIGAON
SIJUBARI
GUWAHATI - 781038

Advocate for the Petitioner : MR. U K NAIR

Advocate for the Respondent : MR. K N CHOUDHURY

Linked Case : WP(C) 8318/2019

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Advocate for the Petitioner : MR. K N CHOUDHURY
Advocate for the Respondent : GA
ASSAM

BEFORE
HONOURABLE MR. JUSTICE ACHINTYA MALLA BUJOR BARUA

ORDER

Date : 18-05-2020

It is stated that although there was an order by this Court for a paper publication and the paper publication had been effected but some of the respondents, namely, respondents No.9, 10, 12, 14, 20, 23 and 24 have not entered appearance.

It is agreed by the parties that as considering the application for modification of the interim order would entail a detailed hearing of the matter itself, therefore, such hearing be construed to be a final hearing of the matter.

As we have also taken note of that the aforesaid respondents are all CDPO's under the Social Welfare Department of the Government of Assam. It being so, the Director of Social Welfare will have the information as to where these respondents are presently posted.

Considering the aforesaid, we direct that the writ petitioners shall provide extra copies of the writ

petition to Mr. D Nath, learned Additional Senior Government Advocate representing the Director, Social Welfare Department and the Director in turn shall through its official channel cause the notice to be served on the aforesaid respondents and thereafter the Director shall file an affidavit before this Court regarding the service. In the event, the above respondents, chooses not to appear after such service is effected, it is provided that the hearing of the matter would proceed further as the other respondents who are similarly situated have already been represented by Mr. UK Nair, learned senior counsel.

As agreed, list the matters on 10.06.2020.

Interim order passed earlier shall continue till then.

JUDGE

Comparing Assistant