

GAHC010112612019



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

Case No. : WP(C)/3349/2019

LABANYA DUTTA
W/O- SRI NAVAJYOTI BHUYAN, R/O- WARD NO. 3, P.O. DIKRONG, P.S.
NARAYANPUR, DIST- LAKHIMPUR, PIN- 784164, ASSAM

VERSUS

THE ASSAM STATE TRANSPORT CORPORATION AND 4 ORS.
PALTAN BAZAR, GHY-8, DIST- KAMRUP, ASSAM

2:THE MANAGING DIRECTOR
ASSAM STATE TRANSPORT CORPORATION
PALTAN BAZAR
GHY-8
DIST- KAMRUP
ASSAM

3:THE CHIEF PERSONAL OFFICER
ASSAM STATE TRANSPORT CORPORATION
PALTAN BAZAR
GHY-8
DIST- KAMRUP
ASSAM

4:THE ACCOUNTS OFFICER (E)
ASSAM STATE TRANSPORT CORPORATION
PALTAN BAZAR
GHY-8
DIST- KAMRUP
ASSAM

5:THE DIVISIONAL SUPERINTENDENT
ASSAM STATE TRANSPORT CORPORATION

NORTH LAKHIMPUR
DIST- LAKHIMPUR
ASSA

Advocate for the Petitioner : MR. P TALUKDAR

Advocate for the Respondent : SC, A S T C

Linked Case : Cont.Cas(C)/97/2020

ANISUL HAQUE @ ANISUL HAQUE
S/O. LT. AZIAUL HAQUE
R/O. LALUKA GAON
DIBRUGARH
786008
P.S. DIBRUGARH
P.O. MAHANAGHAT
DIST. DIBRUGARH
ASSAM.

VERSUS

ANAND PRAKASH TIWARI
THE MANAGING DIRECTOR OF ASSAM STATE TRANSPORT CORPORATION
PARIBAHAN BHAWAN
PALTAN BAZAR
GUWAHATI-781008
P.S. PALTAN BAZAR
DIST. KAMRUP (M)
ASSAM.

Advocate for : MR. M P CHOUDHURY
Advocate for : MR H M R HOQUE
SC ASTC appearing for ANAND PRAKASH TIWARI

Linked Case : Cont.Cas(C)/101/2020

PRAKASH SAIKIA

S/O LATE BHUBAN SAIKIA
R/O CHIRING GAON
TINSUKIA-786156
P.S.-TALAP
P.O.-DANGORI
DIST-TINSUKIA
ASSAM

VERSUS

ANAND PRAKASH TIWARI
THE MANAGING DIRECTOR OF ASSAM STATE TRANSPORT CORPORATION
PARIBAHAN BHAWAN
PALTAN BAZAR
GUWAHATI-781008
P.S.-PALTAN BAZAR
P.O.-PALTAN BAZAR
DIST-KAMRUP(M)
ASSAM

Advocate for : MR. M P CHOUDHURY
Advocate for : MR. S SARMA appearing for ANAND PRAKASH TIWARI

Linked Case : Cont.Cas(C)/88/2020

SAMIR ROY
S/O- LATE UPENDRA ROY
R/O- MAKUM JUNCTION
TINSUKIA- 786170
P.S- MAKUM
P.O- MAKUM
DIST- TINSUKIA
ASSAM

VERSUS

ANAND PRAKASH TIWARI
THE MD OF ASTC
PARIBAHAN BHAWAN
PALTAN BAZAR
GUWAHATI- 781008
P.S- PALTAN BAZAR

P.O- PALTAN BAZAR
DIST- KAMRUP (M)
ASSAM

Advocate for : MR. M P CHOUDHURY
Advocate for : MR H M R HOQUE
SC ASTC appearing for ANAND PRAKASH TIWARI

Linked Case : Cont.Cas(C)/100/2020

MD. SAFIUR RAHMAN @ SAIFUR RAHMAN
S/O LATE MOTIUR RAHMAN
R/O WARD NO. 7
SANTIPUR
SADIYA SUB-DIVISION
TINSUKIA-786157
P.S.-SADIYA
P.O.-SANTIPUR
DIST-TINSUKIA
ASSAM

VERSUS

ANAND PRAKASH TIWARI
THE MANAGING DIRECTOR OF ASSAM STATE TRANSPORT CORPORATION
PARIBAHAN BHAWAN
PALTAN BAZAR
GUWAHATI-781008
P.S.-PALTAN BAZAR
P.O.-PALTAN BAZAR
DIST-KAMRUP(M)
ASSAM

Advocate for : MR. M P CHOUDHURY
Advocate for : MR. S SARMA appearing for ANAND PRAKASH TIWARI

Linked Case : Cont.Cas(C)/106/2020

USHA RANI DEVI

D/O LATE NARENDRA PRASAD BARUA
R/O MILAN TIRTHA
TINSUKIA-786153
P.S.-DOOMDOOMA
P.O.-RUPAI SIDING
DIST-TINSUKIA
ASSAM

VERSUS

ANAND PRAKASH TIWARI
THE MANAGING DIRECTOR OF ASSAM STATE TRANSPORT CORPORATION
PARIBAHAN BHAWAN
PALTAN BAZAR
GUWAHATI-781008
P.S.-PALTAN BAZAR
P.O.-PALTAN BAZAR
DIST-KAMRUP(M)
ASSAM

Advocate for : MR. M P CHOUDHURY
Advocate for : MR. S SARMA appearing for ANAND PRAKASH TIWARI

Linked Case : Cont.Cas(C)/107/2020

TIKESWAR DEORI
S/O LATE SUCHEN CHANDRA DEORI
R/O WARD NO. 5
BHARALICHUK
DHEMAJI-787057
P.S.-DHEMAJI
P.O.-DHEMAJI
DIST-DHEMAJI
ASSAM

VERSUS

ANAND PRAKASH TIWARI
THE MANAGING DIRECTOR OF ASSAM STATE TRANSPORT CORPORATION
PARIBAHAN BHAWAN
PALTAN BAZAR
GUWAHATI-781008

P.S.-PALTAN BAZAR
P.O.-PALTAN BAZAR
DIST-KAMRUP(M)
ASSAM

Advocate for : MR. M P CHOUDHURY
Advocate for : MR. S SARMA appearing for ANAND PRAKASH TIWARI

**BEFORE
HONOURABLE MR. JUSTICE SOUMITRA SAIKIA**

ORDER

Date : **09.02.2024**

Heard Ms. D. Angana, learned counsel for the petitioner in WP(C)/3349/2019 and Mr. S. Bathari, learned counsel for the petitioner in other connected 6 nos. of contempt petitions. Also heard Mr. J. Roy, learned senior counsel assisted by Ms. N. Ahmed, learned counsel for ASTC.

2. This writ petition along with other connected contempt petitions are filed by the petitioners raising different claims in respect of their gratuity, unutilized leave salary, CPF etc. Out of the claims, some amount has been settled by the ASTC. All the petitioners are former employees of ASTC and they have superannuated on various dates. However, inspite of their entitlement, the claims of the petitioners were not settled on the ground of financial constraint. Several opportunities were granted earlier and submissions were made that the proposals have been forwarded to the appropriate department in the Government for necessary sanction. Today when the matter is called up, Mr. J. Roy, learned senior counsel assisted by Ms. N. Ahmed, learned counsel for ASTC has placed before the Court the sanction order dated 16.01.2024 issued by the Transport Department and communicated to the Office of the Accountant

General (A&E), Assam in respect of a financial sanction of Rs. 50 crores for payment of past liabilities of the employees of the ASTC.

3. Learned counsel for the ASTC submits that in view of the financial sanction having been granted and communicated to the office of the ASTC, the payments will now be released. It is expected that the dues of the petitioners will be released by 31st March 2024. The amount will be disbursed to the petitioners proportionately as per their claims. Learned counsel for the petitioner submits that since the sanction has been issued, the claims of the writ petitioners should be released accordingly.

4. Recording such submissions and keeping the communication dated 16.01.2024 in the case record, whereby the financial sanction is granted by the department, the writ petition along with the connected contempt petitions stands closed with the above observations.

JUDGE

Comparing Assistant