

GAHC010062972024



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

Case No. : I.A.(Civil)/966/2024

RUMIMA BEGUM,
WIFE OF LATE JAKIR HUSSAIN, VILLAGE- YASHIHATIPARA, P.O.-
YASHIHATIPARA, P.S. AND DISTRICT- BARPETA, PIN- 781316

VERSUS

THE STATE OF ASSAM AND 4 ORS.
REPRESENTED BY COMMISSIONER AND SECRETARY GOVERNMENT OF
ASSAM, HEALTH AND F.W DEPARTMENT, DISPUR, GUWAHATI-6

2:THE ACCOUNTANT GENERAL (A AND E)
ASSAM
MAIDAMGAON
BELTOLA
GUWAHATI-29

3:THE JOINT DIRECTOR OF HEALTH SERVICES
BAKSA
MUSALPUR
BTAD
PIN- 781372

4:THE CHIEF MEDICAL AND HEALTH OFFICER
BARPETA P.O. AND DISTRICT- BARPETA
ASSAM
PIN- 781301

5:JABEDA HANUN
DAUGHTER OF ABDUL HAMID
VILLAGE- NIMUA
P.O. NIMUA
P.S. BARPETA ROAD

DISTRICT- BARPETA (ASSAM)
PIN- 78131

Advocate for the Petitioner : MR K BHUYAN

Advocate for the Respondent : SC, HEALTH

Linked Case : WP(C)/4827/2023

RUMIMA BEGUM
WIFE OF LATE JAKIR HUSSAIN
VILLAGE- YASHIHATIPARA
P.O.- YASHIHATIPARA
P.S. AND DISTRICT- BARPETA
PIN- 781316

VERSUS

THE STATE OF ASSAM AND 4 ORS.
REPRESENTED BY COMMISSIONER AND SECRETARY GOVERNMENT OF
ASSAM
HEALTH AND F.W DEPARTMENT
DISPUR
GUWAHATI-6

2:THE ACCOUNTANT GENERAL (A AND E)
ASSAM
MAIDAMGAON
BELTOLA
GUWAHATI-29

3:THE JOINT DIRECTOR OF HEALTH SERVICES
BAKSA
MUSALPUR
BTAD
PIN- 781372

4:THE CHIEF MEDICAL AND HEALTH OFFICER
BARPETA P.O. AND DISTRICT- BARPETA

ASSAM
PIN- 781301
5:JABEDA HANUN
DAUGHTER OF ABDUL HAMID
VILLAGE- NIMUA
P.O. NIMUA
P.S. BARPETA ROAD
DISTRICT- BARPETA (ASSAM)
PIN- 781315

Advocate for : MR K BHUYAN
Advocate for : SC
HEALTH appearing for THE STATE OF ASSAM AND 4 ORS.

**BEFORE
HONOURABLE MR. JUSTICE MANASH RANJAN PATHAK**

ORDER

09-04-2024

Heard Mr. K Bhuyan, learned counsel for the applicant/writ petitioner. Also heard Mr. D Baruah, learned Standing counsel, Health and Family Welfare Department, Assam for the opposite party/respondent Nos. 1, 3 & 4 as well as Mr. C Baruah, learned Standing counsel, Accountant General (A&E), Assam for the opposite party/respondent No. 2.

2. The applicant herein preferred the connected writ petition being WP(C) No. 4827/2023, praying amongst others, to disposed of the pension case of her late husband, namely, Jakir Hussain, Ex-Laboratory Technician at Jalagaon Public Health Centre under the administrative control of the Chief Medical and Health Officer of erstwhile district-Barpeta now district-Baksa (BTC) that is pending for disposal.

3. The Court by its order dated 25.08.2023 passed in said WP(C) No. 4827/2023 issued Rule.

4. Mr. Bhuyan, learned counsel for the applicant is also the counsel for the petitioner in said WP(C) No. 4827/2023.

- 5.** It is placed before the Court that in the order dated 25.08.2023 passed in said WP(C) No. 4827/2023 at Para-6, the date of death of the husband of the petitioner/applicant has been typed as 22.12.2021.
- 6.** By placing a copy of the Death Certificate of the late husband of the applicant/petitioner issued on 22.12.2021 by the Registrar, Birth and Death, Howly Community Health Centre (Annexure-7 to said WP(C) No. 4827/2023), learned counsel for the applicant/petitioner has submitted that her husband expired on 21.07.2021 and the said Death Certificate was issued on 22.12.2021.
- 7.** From the said order dated 25.08.2023 passed in WP(C) No. 4827/2023, Mr. Bhuyan, learned counsel for the applicant/petitioner has submitted that at Para-8, Jalagaon Public Health Centre has been shown to be of district-Barpeta, but earlier the said Jalagaon Public Health Centre was within the jurisdiction of district-Barpeta and after bifurcation of the said district as Barpeta and Baksa, Jalagaon Public Health Centre is now under the jurisdiction of district-Baksa (BTC).
- 8.** Hence, this Interlocutory Application by the applicant/petitioner for correction of those typographical errors that occurred at Para-6 & Para-8 of the order dated 25.08.2023 passed in WP(C) No. 4827/2023, noted above.
- 9.** Mr. D Baruah, Standing counsel, Health and Family Welfare Department as well as Mr. C Baruah, learned Standing counsel, Accountant General (A&E), Assam have no objection for correction of such typographical mistakes that occurred in Para- 6 & Para-8 of the order dated 25.08.2023, noted above.
- 10.** On the prayer of the learned counsel for the applicant/writ petitioner and after going through the records of WP(C) No. 4827/2023, it is hereby directed that the date 22.12.2021 at Para-6 of the order dated 25.08.2023 passed in the connected WP(C) No. 4827/2023 shall be read as 21.07.2021.
- 11.** Further, district-Barpeta after Jalagaon Public Health Centre as reflected at Para-8 of the order dated 25.08.2023 passed in the connected WP(C) No. 4827/2023 shall be read as erstwhile district-Barpeta now district-Baksa (BTC).
- 12.** This order shall be read together with the order dated 25.08.2023 passed in the

connected WP(C) No. 4827/2023, preferred by the applicant as petitioner.

13. With the above observation and direction, this Interlocutory Application stands disposed of.

JUDGE

Comparing Assistant