

GAHC010017562024



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

Case No. : I.A.(Civil)/431/2024

SHIRLEY SLYNN
W/O- LATE M. AJAY SINGH,
R/O- MANIPURI BASTI, HOUSE NO. 38,
P.O.- ULUBARI, UNDER PALTANBAZAR, POLICE STATION,
DIST- KAMRUP(M), GUWAHATI- 781007, ASSAM.

VERSUS

THE STATE OF ASSAM AND 3 ORS
REPRESENTED HEREIN BY THE CHIEF SECRETARY, GOVT. OF ASSAM.

2:THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM
FINANCE DEPARTMENT.

3:DEPUTY COMMISSIONER
KAMRUP(METRO)
GUWAHATI
ASSAM.

4:PRINCIPAL SECRETARY TO THE GOVT. OF ASSAM
REVENUE AND DISASTER MANAGEMENT DEPARTMEN

Advocate for the Petitioner : MR. M K DAS

Advocate for the Respondent : GA, ASSAM

Linked Case : WP(C)/276/2024

SHIRLEY SLYNN
W/O- LATE M. AJAY SINGH
R/O- MANIPURI BASTI
HOUSE NO. 38
P.O.- ULUBARI
UNDER PALTANBAZAR

POLICE STATION
DIST- KAMRUP(M)
GUWAHATI- 781007
ASSAM.

VERSUS

THE STATE OF ASSAM AND 2 ORS
REPRESENTED HEREIN BY THE CHIEF SECRETARY
GOVT. OF ASSAM.

2:THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM
FINANCE DEPARTMENT.

3:DEPUTY COMMISSIONER
KAMRUP(METRO)
GUWAHATI
ASSAM.

Advocate for : MR. M K DAS
Advocate for : GA ASSAM appearing for THE STATE OF ASSAM AND 2 ORS

BEFORE
HONOURABLE MR. JUSTICE MANISH CHOUDHURY

ORDER

Date : 21-02-2024

Heard Mr. M.K. Das, learned counsel for the applicant-writ petitioner; Mr. S. Baruah, learned Junior Government Advocate, Assam for opposite party nos. 1 & 3; and Ms. N. Bordoloi, learned Standing Counsel, Revenue & Disaster Management Department for the opposite party no. 4.

2. The applicant as the writ petitioner, has preferred the connected writ petition, W.P.[C] no. 276/2024 seeking relief of *ex gratia* in terms of a Notification dated 15.11.2014 of the Revenue & Disaster Management Department on the premise that the applicant-writ petitioner's mother was killed in a road traffic accident occurred on a public place.

3. The instant interlocutory application has been preferred seeking impleadment of the following authority :-

‘The Principal Secretary to the Government of Assam,
Revenue and Disaster Management Department.’

as a party-respondent in the connected writ petition on the ground that the said authority was not impleaded as a party-respondent in the connected writ petition inadvertently. It is averred that the presence of the proposed party-respondent is necessary for the adjudication of the issue involved in the connected writ petition.

4. The learned counsel for the opposite parties have submitted that they have no objection if the prayer made in the interlocutory application is allowed.

5. Having regard to the grievance sought to be redressed, in the connected writ petition, in the form of *ex gratia* relief on the basis of a Notification issued by the Revenue and Disaster Management Department, the instant interlocutory application seeking impleadment of the afore-mentioned authority as the party-respondent no. 4 is allowed.

6. The learned counsel for the petitioner shall submit an amended cause-title before the Registry in terms of the Notification no. 79 dated 19.06.2023 within 3 [three] working days from today.

7. On submission of such amended cause-title, the Registry to cause necessary corrections in the cause-title of the writ petition, W.P.[C] no. 276/2024 as well as in the CIS and list the writ petition accordingly thereafter.

JUDGE

Comparing Assistant