

GAHC010134542022



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

**Case No. : PIL(Suo Moto)/3/2022**

XXX  
XXX

VERSUS

1. IN RE- THE STATE OF ASSAM AND 4 ORS.  
REPRESENTED BY THE CHIEF SECRETARY, JANATA BHAWAN, DISPUR,  
GUWAHATI-781006

2:THE PRINCIPAL SECRETARY TO THE GOVT. OF ASSAM  
REVENUE AND DISASTER MANAGEMENT DEPARTMENT  
JANATA BHAWAN, DISPUR, GUWAHATI-781006

3:THE DEPUTY COMMISSIONER, NAGAON  
OLD TRUNK ROAD, CHRISTIANPATTY  
NAGAON-782001

4:THE DIRECTOR GENERAL OF POLICE  
ASSAM POLICE HEADQUARTERS  
ULUBARI, GUWAHATI-781007

5:THE SUPERINTENDENT OF POLICE, NAGAON, ASSAM.

**Linked Case : WP(C)/239/2024**

RASHIDA KHATUN  
W/O- LATE SAFIQU L ISLAM  
R/O- VILLAGE SALONIBARI, NAGAON  
P.O- AMLAKHIGAON, P.S- DHING, DIST- NAGAON

VERSUS

1. THE STATE OF ASSAM AND 7 ORS  
TO BE REP. BY THE CHIEF SECRETARY TO THE GOVERNMENT OF ASSAM  
DISPUR GUWAHATI-06

2:PRINCIPAL SECRETARY  
TO THE GOVERNMENT OF ASSAM  
HOME AND POLITICAL DEPARTMENT  
DISPUR, GUWAHATI-06

3:THE DIRECTOR GENERAL OF POLICE,ASSAM  
ASSAM POLICE HEADQUARTERS  
ULUBARI, GUWAHATI-07

4:THE SUPERINTENDENT OF POLICE,NAGAON  
O/O THE SUPERINTENDENT OF POLICE  
CHRISTIANPATTY, NAGAON  
PIN-782001, ASSAM

5:THE DISTRICT COMMISSIONER  
OLD TRUNK ROAD, CHRISTIANPATTY  
NAGAON, PIN-782001, ASSAM

6:THE OFFICER IN CHARGE  
BATADRAVA POLICE STATION  
BATRADAVA SARUHISA, BORDUA  
NAGAON, ASSAM, PIN-782122

7:THE OFFICER IN CHARGE  
OF AHOMGAON POLICE OUTPOST  
JAJORI ROAD, TUKTUKI, AHOMGAON  
PIN-782123, NAGAON, ASSAM

8:THE OFFICER IN CHARGE  
OF DHING POLICE STATION  
DHING CHARIALI, NAGAON  
PIN-782123, ASSAM

For the Petitioner(s) : Mr. H.K. Das, Standing Counsel, Gauhati High Court in PIL  
(Suo Moto) No.3/2022.  
: Mr. Z. Khalid, Advocate for the petitioner in WP(C)  
No.239/2024.

For the Respondent(s) : Mr. D. Nath, Senior Government Advocate, Assam.  
: Mr. D.K. Sarmah, Additional Senior Government Advocate,  
Assam.  
: Ms. N. Bordoloi, Standing Counsel, Revenue Department.  
: Mr. P. Nayak, Standing Counsel, Finance Department.

– BEFORE –  
**HON'BLE THE CHIEF JUSTICE MR. VIJAY BISHNOI**  
**HON'BLE MR. JUSTICE SUMAN SHYAM**

**03.05.2024**

*(Vijay Bishnoi, CJ)*

**PIL(Suo Moto) No.3/2022**

Respective counsel appearing for the Home and Political (A) Department, Government of Assam, has submitted that the amount of compensation has already been determined and the matter is referred to the Finance Department for payment of compensation to the 6(six) persons, whose houses were demolished.

Mr. P. Nayak, learned Standing Counsel, Finance Department prays for and is granted a week's time to apprise this Court as to by what time the compensation would be paid to the affected persons pursuant to the proposal sent by the Home and Political (A) Department, Government of Assam.

**WP(C) No.239/2024**

This writ petition [WP(C) No.239/2024] is filed by the petitioner, whose husband was subjected to custodial death, for seeking appropriate compensation from the State of Assam.

Despite service of notice upon the State respondents and even after lapse of considerable time, no reply to the writ petition is filed by the State respondents.

Mr. D. Nath, learned Senior Government Advocate, Assam prays for and is

granted last opportunity of a week's time to file reply to the writ petition. Mr. Nath is further directed to respond as to why interim compensation be not granted to the petitioner during the pendency of this writ petition [WP(C) No.239/2024].

List both these writ petitions [PIL(Suo Moto) No.3/2022 and WP(C) No.239/2024] on 14.05.2024.

**JUDGE**

**CHIEF JUSTICE**

**Comparing Assistant**