

GAHC010008242024



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

Case No. : WP(C)/230/2024

MACHUMA KHATUN
DAUGHTER OF- LATE ABDUL KHALEK KHAN,
RESIDENT OF VILLAGE- KAIMARI PT-III,
P.O.- KAIMARI, DISTRICT- DHUBRI,
ASSAM, PIN- 783335.

VERSUS

THE STATE OF ASSAM AND 6 ORS
TO BE REPRESENTED BY THE SECRETARY TO THE GOVERNMENT OF
ASSAM,
DEPARTMENT OF SCHOOL (ELEMENTARY) EDUCATION,
JANATA BHAWAN (ASSAM SECRETARIAT COMPLEX)
DISPUR, GUWAHATI- 781006.

2:PRINCIPAL SECRETARY TO THE GOVERNMENT OF ASSAM
FINANCE DEPARTMENT
JANATA BHAWAN (ASSAM SECRETARIAT COMPLEX)

DISPUR
GUWAHATI- 781006.

3:COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM
PENSION AND PUBLIC GRIEVANCES DEPARTMENT
JANATA BHAWAN (ASSAM SECRETARIAT COMPLEX)

DISPUR
GUWAHATI- 781006.

4:THE DIRECTOR OF ELEMENTARY EDUCATION
ASSAM
KAHILIPARA

GUWAHATI- 781019.

5:THE DISTRICT ELEMENTARY EDUCATION OFFICER

DHUBRI.

6:THE DIRECTOR OF PENSION

BANPHOOL NAGAR
DISPUR

BASISTHAPUR
GUWAHATI- 781006.

7:THE TREASURY OFFICER
DHUBRI TREASURY
DHUBRI- 783301

Advocate for the Petitioner : MR. A R BHUYAN

Advocate for the Respondent : SC, ELEM. EDU

BEFORE
HONOURABLE MR. JUSTICE SANJAY KUMAR MEDHI

ORDER

17.05.2024

Heard Shri A.R. Bhuyan, learned counsel for the petitioner.

The petitioner is the unmarried dependent daughter of deceased Government Servant Late Abdul Khalek Khan who was serving as an Assistant Teacher in the East Bidyardabri B.U. M.E. Madrassa, Dhubri has filed this application with a claim for family pension and also the arrears salaries which the father of the petitioner was yet to receive.

Shri P. Bora, learned Standing Counsel, Elementary Education Department has informed this Court that the Director of Elementary Education vide

communication dated 15.05.2024 had intimated the Director of Pension regarding forwarding of such proposal by the District Elementary Education Officer, Dhubri.

Let notice be issued, returnable on 10.06.2024.

Shri Bora, the learned Standing Counsel accepts notice on behalf of the respondent nos. 1, 4 & 5 whereas Ms. R.M. Baruah, learned counsel accepts notice on behalf of Shri A. Chaliha, learned Standing Counsel, Finance Department for the respondent nos. 2 & 7. Shri P. Saikia, the learned State counsel accepts notice on behalf of the respondent nos. 3 & 6.

Let extra copies of the writ petition be served upon the learned counsel for the respondents within 3 (three) working days.

JUDGE

Comparing Assistant