

GAHC010009742026



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

Case No. : WP(C)/474/2026

PROF DR DEVASHISH KAR
S/O- LATE HIMANGSHU JYOTI KAR, R/O- H.NO-39, PUBLIC SCHOOL ROAD,
P.O AND P.S- SILCHAR, DIST- CACHAR, ASSAM, PIN-788005

VERSUS

THE STATE OF ASSAM ND OTHERS
REPRESENTED BY THE SECRETARY TO THE GOVERNMENT OF ASSAM,
HIGHER EDUCATION DEPARTMENT, ASSAM,DISPUR, GUWAHATI-781006.

2:THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM
DEPARTMENT OF SECONDARY EDUCATION
ASSAM
DISPUR
GUWAHATI-06

3:THE COMMISSIONER AND SECRETARY
TO THE GOVT. OF ASSAM
DEPARTMENT OF PENSION AND PUBLIC GRIEVANCES
DISPUR
GUWAHATI-06

4:THE DIRECTOR OF HIGHER EDUCATION
KAHILIPARA
GUWAHATI-19

5:THE DIRECTOR OF SECONDARY EDUCATION
ASSAM
KAHILIPARA
GUWAHATI-19

6:THE REGISTRAR
ASSAM UNIVERSITY
SILCHAR-788011

CACHAR
ASSAM

7:THE PRINCIPAL ACCOUNTANT GENERAL (A AND E)
ASSAM
MAIDAMGAON
GUWAHATI-2

Advocate for the Petitioner : MR. R A MAZUMDER,

Advocate for the Respondent : SC, HIGHER EDU, SC, ASSAM UNIVERSITY,GA, ASSAM,SC,
AG (A AND E),SC, SEC. EDU.

BEFORE
HONOURABLE MR. JUSTICE NELSON SAILO

ORDER

Date : 02.02.2026

Heard Mr. R. A. Mazumder, learned counsel for the petitioner, who submits that the petitioner initially was working under the Government of Assam as a Teacher, thereafter, he joined the Assam University and therefore his claim is for grant of Pro-rata Pension. The earlier writ petition filed by the writ petition i.e. WP(C) No. 261 of 2022 was disposed of on 26.05.2025 in view of the fact that the application for grant of Pro-rata Pension had been rejected by the respondent authority concerned by way of passing a Speaking Order on 25.10.2024. Therefore, the writ petition was disposed of with liberty to the petitioner to challenge the same. Accordingly, the petitioner is again before this Court with this instant writ petition challenging the impugned Order dated 25.10.2024 (Annexure – 21).

In view of above, issue notice of motion returnable by four (4) weeks.

Mr. A. R. Tahbildar, learned Standing Counsel, Higher Education Department, accepts notice on behalf of the respondent Nos. 1 & 4; Mr. P. P. Dutta, learned Standing Counsel, Secondary Education Department, accepts notice on behalf of the

respondent Nos. 2 & 5; Mr. G. Pegu, learned Government Advocate, accepts notice on behalf of the respondent No. 3; Ms. P. Upadhyay, learned counsel, accepts notice on behalf of the respondent No. 6 and Mr. R. Talukdar, learned Standing Counsel, Accountant General, accepts notice on behalf of the respondent No. 7. Notice is therefore complete.

Extra copies of the writ petition be furnished to the learned Standing Counsel appearing today for the respondents within three (3) days.

List the matter again on 05.03.2026.

The respondents to file their counter-affidavits in the meantime.

JUDGE

Comparing Assistant