

GAHC010015142024



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

Case No. : WP(C)/858/2024

TASDIQUR RAHMAN
SON OF LATE FAZLUR RAHMAN, RESIDENT OF COLONEL J. ALI ROAD,
LAKHTOKIA, GUWAHATI- 781001, KAMRUP (METRO), ASSAM

VERSUS

THE STATE OF ASSAM AND 3 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE
GOVERNMENT OF ASSAM, DEPARTMENT OF HOUSING AND URBAN
AFFAIRS, A-BLOCK, GROUND FLOOR, JANATA BHAWAN, DISPUR,
GUWAHATI- 781006

2:THE JOIN SECRETARY TO THE GOVERNMENT OF ASSAM
DEPARTMENT OF HOUSING AND URBAN AFFAIRS
A-BLOCK
GROUND FLOOR
JANATA BHAWAN
DISPUR
GUWAHATI- 781006

3:THE DIRECTOR
MUNICIPAL ADMINISTRATION DEPARTMENT
DISPUR
GUWAHATI- 781006

4:THE PRINCIPAL ACCOUNTANT GENERAL (A AND E)
MAIDAMGAON
BELTOLA
GUWAHATI

Advocate for the petitioner(s): Mr. KN Choudhury, Senior Advocate
Mr. J Patowary

Advocate for the respondent(s): Mr. S Bora

**BEFORE
HONOURABLE MR. JUSTICE DEVASHIS BARUAH**

ORDER

Date : --08.11.2024

Mr. S Bora, the learned counsel appearing on behalf of the Housing and Urban Affairs Department submits that as per his instruction(s) a judicial proceeding is pending before the Special Judge, Assam, which is in connection with Vigilance Case No.4/2022 and under such circumstances, Rule 22 of the Assam Services (Pension) Rules, 1969 would be applicable, for which, the petitioner would now only be entitled to provisional pension, which has been duly disbursed to the petitioner from time to time.

2. Taking into account the said instruction(s), this Court directs the Housing and Urban Affairs Department to bring on record the above stand by way of an affidavit.

3. List on 02.12.2024.

4. Mr. SK Medhi, the learned counsel appearing on behalf of the Accountant General (A & E), Assam submits that he would like to bring on record their stand by filing an affidavit.

JUDGE

Comparing Assistant