

GAHC010018192025



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

Case No. : WP(C)/503/2025

ANIMA DAS
D/O- LATE NIL RATAN DAS,
R/O- VILLAGE SRIKONA GRANT,
P.O.- SRIKONA, P.S.- SILCHAR,
DISTRICT- CACHAR, ASSAM,
PIN CODE- 788026.

VERSUS

THE UNION OF INDIA AND 4 ORS.
THROUGH- THE SECRETARY,
TO THE GOVERNMENT OF INDIA,
MINISTRY OF DEFENCE
(DEPARTMENT OF EX-SERVICEMAN WELFARE),
SENA BHAWAN, B-WING, ROOM NO. 305,
NEW DELHI- 110011.

2:THE CHIEF OF ARMY STAFFS
INDIAN ARMY
SENA BHAWAN
NEW DELHI- 110011.

3:THE DIRECTOR GENERAL OF ARMED FORCES
MEDICAL SERVICES
ARMY MEDICAL CORPS
LUCKNOW
UTTAR PRADESH- 226002.

4:THE CHIEF RECORD OFFICER (NEGAP)
AMC RECORDS
PIN- 900450.

5:ZILA SAINIK WELFARE OFFICER

SAINIK BHAWAN
PARK ROAD
SILCHAR

DISTRICT- CACHAR
ASSAM
PIN CODE- 788001

Advocate for the Petitioner : MR. S C BISWAS, MR. A K DAS, MS. J GHOSH, MS A DAS

Advocate for the Respondent : DY.S.G.I., MR. S P CHOUDHURY (C.G.C.), (R1-R4)

BEFORE
HON'BLE MR. JUSTICE RAJESH MAZUMDAR
ORDER

28.01.2026

Heard Ms U Nanda, learned counsel appearing for the petitioner. Also heard Mr S Sarkar, learned counsel appearing on behalf of Mr S P Choudhury, learned counsel for the respondent Nos. 1 and 4.

2. This is a petition where the disabled daughter is praying for a grant of family pension in accordance with the rules and the only reason which is available in the order dated 26.02.2024, is that the name of the petitioner was not found in the service records of Ex-Havildar (Late Neel Ratan Das). The petitioner was, therefore, requested to give all the documents for verification through the District Sainik Welfare Office. By a communication dated 4th of November, 2024, the SRO for OIC records, has advised the petitioner to change the name of her mother in all service documents as per name of wife mentioned in the ESM service record. There is already a report dated 20.06.2024, issued by the Office of the Superintendent of Police, Cachar, Silchar, Assam, addressed to the Zilla Sainik Welfare Officer, Cachar, that Late Malati Das, who was the mother of the petitioner, herein, was also called by her name Sucharita in the locality.

3. The learned counsel appearing for the respondents has prayed for some time to file their affidavit-in-opposition and has requested that the matter may be taken up in the next week.
4. It is noticed that the petitioner is a 54-years-old disabled lady.
5. On the next date fixed, the respondents shall furnish appropriate instructions to the counsel to apprise this Court as to whether the petitioner would be required to change the name of her mother in all her civil documents as per the name of the wife of the deceased employee at a time when the mother of the petitioner is no longer alive. The respondents shall also furnish appropriate instructions to their counsel to apprise this Court as to the requirement of such a change being incorporated when the Zilla Sainik Welfare Officer, got an enquiry conducted through the Superintendent of Police, Cachar, Silchar, in which it has reported that the mother of the petitioner was known by two names.
6. It is made clear that in the absence of instructions, which may also be placed before this Court in the form of an affidavit, this Court may proceed to decide the matter on the basis of the records available before it.
7. List this matter again on **16th of February, 2026**, as requested by the learned counsel for the respondents.

JUDGE

Comparing Assistant