

GAHC010019562026



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

Case No. : I.A.(Civil)/295/2026

ON THE DEATH OF SYED MONOWAR HUSSAIN HIS LEGAL HEIR SYEDA
JABIN HUSSAIN
WO LATE SYED MONOWAR HUSSAIN, RO HOUSE NO 38, BYE LANE 2,
MOTHER TERESA PATH, HATIGAON, PS AND PO HATIGAON, DIST
KAMRUP M, ASSAM, GUWAHATI , PIN 781038

2: SYED MEHDI JAHAN
SO LATE SYED MONOWAR HUSSAIN
RO HOUSE NO 38
BYE LANE 2
MOTHER TERESA PATH
HATIGAON
PS AND PO HATIGAON
DIST KAMRUP M
ASSAM
GUWAHATI
PIN 781038

3: SYEDA MEHNAZ JAHAN
DO LATE SYED MONOWAR HUSSAIN
RO HOUSE NO 38
BYE LANE 2
MOTHER TERESA PATH
HATIGAON
PS AND PO HATIGAON
DIST KAMRUP M
ASSAM
GUWAHATI
PIN 78103

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PRINCIPAL SECRETARY, GOVT OF ASSAM,

PANCHAYAT AND RURAL DEVELOPMENT DEPARTMENT, DISPUR,
GUWAHATI 06

2:THE COMMISSIONER AND SECRETARY
GOVT OF ASSAM
FINANCE DEPARTMENT
DISPUR
GUWAHATI 6

3:THE SECRETARY
GOVT OF ASSAM
PANCHAYAT AND RURAL DEVELOPMENT DEPARTMENT
DISPUR
GUWAHATI 6

4:THE COMMISSIONER
PANCHAYAT AND RURAL DEVELOPMENT DEPARTMENT
GOVT OF ASSAM
PANJABARI
JURIPAR
GUWAHATI
ASSAM

5:THE ACCOUNTANT GENERAL (A AND E)
ASSAM
MAIDAMGAON
BELTOLA
GUWAHATI 29

6:THE DIRECTOR
PENSION AND PUBLIC GRIEVANCES DEPARTMENT
DISPUR
GUWAHATI
ASSAM 06

7:THE CHIEF EXECUTIVE OFFICER
NALBARI ZILLA PARISHAD
NALBARI
PIN 781335

8:THE BLOCK DEVELOPMENT OFFICER
SARUKHETRI DEVELOPMENT BLOCK
LACHIMA
DIST BARPETA
ASSA

Advocate for the Petitioner : MR. T SK, MR. I ALAM

Advocate for the Respondent : SC, P AND R.D., SC, PENSION,SC, FINANCE,SC, AG (A AND E)

Linked Case : WP(C)/5198/2025

SAYED MONOWAR HUSSAIN
S/O LATE MAKBUL HUSSAIN
R/O HOUSE NO. 38
BY LANE-2
MOTHER TERESA PATH
HATIGAON
P.S. AND P.O.- HATIGAON
DIST- KAMRUP (M)
GUWAHATI
PIN-781038

VERSUS

THE STATE OF ASSAM AND 7 ORS
REPRESENTED BY THE PRINCIPAL SECRETARY
GOVT. OF ASSAM
PANCHAYAT AND RURAL DEVELOPMENT DEPARTMENT
DISPUR
GUWAHATI-06

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

3:THE SECRETARY TO THE GOVT. OF ASSAM
PANCHAYAT AND RURAL DEVELOPMENT DEPARTMENT
DISPUR
GUWAHATI-6

4:THE COMMISSIONER
PANCHAYAT AND RURAL DEVELOPMENT DEPARTMENT
GOVT. OF ASSAM
PANJABARI
JURIPAR
GUWAHATI
ASSAM

5:THE ACCOUNTANT GENERAL (A AND E)

ASSAM
MAIDAMGAON
BELTOLA
GUWAHATI-29

6:THE DIRECTOR
PENSION AND PUBLIC GRIEVANCE DEPARTMENT
DISPUR
GUWAHATI
ASSAM-06

7:THE CHIEF EXECUTIVE OFFICER
NALBARI ZILLA PARISHAD
NALBARI
PIN-781335

8:THE BLOCK DEVELOPMENT OFFICER
SARUKHETRI DEVELOPMENT BLOCK
LACHIMA
DIST- BARPETA
ASSAM

Advocate for : MR. I ALAM

Advocate for : SC

P AND R.D. appearing for THE STATE OF ASSAM AND 7 ORS

BEFORE
HON'BLE MR. JUSTICE N. UNNI KRISHNAN NAIR
ORDER

25/02/2026

The present Interlocutory Application has been filed by the applicants, who are the legal heirs of Late Syed Monowar Hussain, for substituting themselves in place of Late Syed Monowar Hussain in the connected writ petition, being WP(C) No. 5198/2025. The connected writ petition was instituted by Syed Monowar Hussain praying for authorization of pension and other pensionary benefits and also for re-fixation of his salary and allowances.

During the pendency of the said writ petition, the original petitioner passed on, on 18.11.2025.

The cause of action involved in the said writ petition surviving the death of the original petitioner, the applicants have filed the present Interlocutory Application praying for substituting themselves in place of the original petitioner in the connected writ petition.

Prayer is not objected to by the learned counsel for the respondents.

Accordingly, the applicants, herein, are permitted to be substituted in the connected writ petition in the following manner:

“On the death of Syed Monowar Hussain his legal heirs:

1. Syeda Jabin Hussain, aged about 68 years,

W/o. Late Syed Monowar Hussain,

2. Syed Mehdi Jahan, aged about 37 years

S/O. Late Syed Monowar Hussain

3. Syeda Mehnaz Jahan, aged about 29 years

D/O. Late Syed Monowar Hussain

All are resident of House No. 38, By Lane-2, Mother Teresa Path, Hatigaon, P.S. and P.O.-Hatigaon, Dist-Kamrup(M), Guwahati, Pin-781038.”

With the above observations and directions, the present Interlocutory Applications stands disposed of.

JUDGE

Comparing Assistant