

GAHC010021992017



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

Case No. : WP(C)/2672/2017

JITENDRA NATH DEKA @ JITENDRA DEKA
S/O- LATE SIDHESWAR DEKA, R/O- MANGALDOI, P.O 7P.S- MANGALDOI,
DIST- DARRANG, ASSAM

VERSUS

THE STATE OF ASSAM and 6 ORS.
REPRESENTED BY THE COMMISSIONER and SECRETARY TO THE
GOVERNMENT OF ASSAM, POLITICALB DEPARTMENT, DISPUR,
GUWAHATI-6

2:THE SECRETARY TO THE GOVERNMENT OF ASSAM
FINANCE DEPARTMENT
DISPUR
GUWAHATI-6

3:THE SECRETARY
TO THE GOVERNMENT OF ASSAM
JUDICIAL DEPARTMENT
DISPUR
GHY-6

4:THE SECRETARY
TO THE GOVT OF INDIA
MINISTRY OF HOME AFFAIRS
NEW DELHI
PIN- 110006

5:THE DEPUTY SECRETARY
TO THE GOVT OF ASSAM
POLITICAL B DEPARTMENT
DISPUR
GHY-6

6:THE ACCOUNTANT GENERALAandE
ASSAM
MAIDAMGAON
BELTOLA
GUWAHATI- 29

7:THE MEMBER FOREIGNERS' TRIBUNAL
DARRANG
P.O and P.S- MANGALDOI
DIST- DARRANG
ASSAM
PIN- 78412

Advocate for the Petitioner : MR.I H SAIKIA, MS.S KANUNGOE,MR.K KALITA

Advocate for the Respondent : ASSTT.S.G.I., MR. U. K. NAIR(SC, FOREIGNER'S TRIBUNAL),C.G.C.,GA, ASSAM,MRS.A DASS,SC, AG,SC, FINANCE

BEFORE
HON'BLE MR. JUSTICE RAJESH MAZUMDAR
ORDER

11.02.2026

Ms U Sharma, learned counsel for the respondent has placed before this Court, the instructions forwarded to her on 05.02.2026, whereby it has been asserted that the petitioner has been granted a pay in the minimum scale and he has also been granted 50% House Rent Allowances etc..

2. A prayer in the writ petition was for regularization of service, which Ms Sharma has asserted, would not be possible in view of the Judgment rendered in the case of *State of Assam -Vs- Upen Das*, reported in **2017(4) GLR 493**.

2. Mr I H Saikia, learned counsel appearing for the petitioner has also sought for an accommodation to obtain instructions from his client regarding the payment of the benefits asserted today.

3. List this matter again on **27th of February, 2026**, by which time, Ms Sharma shall

ensure that the affidavit is also brought on record and Mr I H Saikia shall also obtain his instructions.

JUDGE

Comparing Assistant