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

Case No. : I.A.(Civil)/436/2026

THE ACCOUNTANT GENERAL A AND E
ASSAM, MAIDAMGAON, BELTOLA, GUWAHATI- 781 029.

VERSUS

MAMTAZ BEGUM
W/O- LT. ABDUL MAJID R/OVILL- ROWMARI P.O.- SOLMARI B.O., P.S.-
NAGAON SADAR, DISTRICT- NAGAON, ASSAM PIN 782002

2:THE STATE OF ASSAM
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT
OF ASSAM EDUCATION ELEMENTARY DEPARTMENT
DISPUR
GUWAHATI-6.

3:THE DIRECTOR OF ELEMENTARY
EDUCATION ASSAM KAHILIPARA GHY-19.

4:THE INSPECTOR OF SCHOOLS
NAGAON DIST NAGAON ASSAM.

5:THE BLOCK ELEMENTARY EDUCATION OFFICER
LAWKHOWA NAGAON

6:THE TREASURY OFFICER NAGAON
DIST. NAGAON ASSAM.

7:RANJANA GOGOI
W/O- LT ABDUL MAJID VILL- ROWMARI P.O.- SOLMARI B.O. P.S.-
NAGAON SADAR DISTRICT- NAGAON ASSAM PIN-782002.

8:THE DIRECTOR PENSION
ASSAM

Advocate for the Petitioner : MR. R K TALUKDAR,

Advocate for the Respondent : SC, ELEM. EDU, MR. J AHMED,GA, ASSAM,SC, FINANCE

Linked Case : WP(C)/1214/2024

MAMTAZ BEGUM
W/O- LT. ABDUL MAJID
R/O- VILL- ROWMARI
P.O.- SOLMARI B.O.

P.S.- NAGAON SADAR

DISTRICT- NAGAON
ASSAM
PIN- 782002.

VERSUS

THE STATE OF ASSAM AND 5 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT
OF ASSAM
EDUCATION (ELEMENTARY) DEPARTMENT

DISPUR
GUWAHATI-6.

2:THE DIRECTOR OF ELEMENTARY EDUCATION
ASSAM
KAHILIPARA
GHY-19.

3:THE INSPECTOR OF SCHOOLS
NAGAON
DIST NAGAON
ASSAM.

4:THE BLOCK ELEMENTARY EDUCATION OFFICER
LAWKHOWA

NAGAON.

5:THE TREASURY OFFICER
NAGAON
DIST. NAGAON
ASSAM.

6:THE ACCOUNTANT GENERAL
ASSAM
BELTOLA
GUWAHATI-27.

7:RANJANA GOGOI
W/O- LT ABDUL MAJID
VILL- ROWMARI
P.O.- SOLMARI B.O.

P.S.- NAGAON SADAR

DISTRICT- NAGAON
ASSAM

PIN- 782002.

8:THE DIRECTOR
PENSION
ASSAM
HOUSEFED COMPLEX
NEW BUILDING
DISPUR-6

Advocate for : MS S S ZIA

Advocate for : SC

ELEM. EDU appearing for THE STATE OF ASSAM AND 5 ORS

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

18/02/2026

Heard Mr. R K Talukdar, learned counsel for the applicant. Also heard Mr. A R Bhuyan, learned counsel for the opposite party No. 1/writ petitioner; Mr. J Ahmed, learned counsel for the opposite party No. 7 and Ms. K Phukan, learned Government Advocate, appearing for the Director of Pension, Assam.

The present Interlocutory Application has been instituted by the Accountant General (A&E), Assam, who has been arrayed as respondent No. 6 in the connected writ petition, praying for deletion of his name from the array of the respondents in the connected writ petition, being WP(C) No. 1214/2024.

It is projected in the Interlocutory Application that the claim made by the petitioner for release of pension and pensionary benefits is not being regulated by the Accountant General (A&E), Assam and accordingly, it is neither a necessary nor a proper party in the said proceedings.

This Court has considered the contentions raised by the applicant in the matter.

The husband of the petitioner is found to be an employee of a provincialised school. Accordingly, the pension and pensionary benefits due either to him or his next of kin is required to be so authorized by the Director of Pension, Assam and not by the office of the Accountant General (A&E), Assam.

In view of the said position, this Court is of the considered view that the Accountant General (A&E), Assam is neither a necessary nor a proper party in the proceedings of WP(C) No. 1214/2024.

Accordingly, the prayer made by the applicant is allowed.

The name of the Accountant General (A&E), Assam, as respondent No. 6 in the connected writ petition stands deleted.

JUDGE

Comparing Assistant