

GAHC010034492026



undefined

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

**Case No. : WP(C)/1134/2026**

SMTI RITA DEKA AND ANR  
W/O LATE BHARGAB MALAKAR  
R/O VILL- PACHARIYA (NAPARA), P.O. PACHARIYA DIST. KAMRUP, ASSAM,  
PIN-781104

2: SMTI PRIYANKA MALAKAR  
D/O LATE BHARGAB MALAKAR  
RESIDENT OF VILLPACHARIYA NAPARA  
P.OPACHARIYA  
DIST- KAMRUP  
ASSAM  
PIN-781104. (PETITIONER NO.2 BEING MENTALLY RETARDED IS  
REPRESENTED BY HER MOTHER THE PETITIONER NO.1

VERSUS

STATE OF ASSAM AND 4 ORS.  
REPRESENTED BY THE COMMISSIONER CUM SECRETARY TO THE GOVT.  
OF ASSAM HEALTH FAMILY WELFARE DEPARTMENT, DISPUR, GUWAHATI  
-781006

2:DIRECTOR OF HEALTH SERVICES

ASSAM  
HENGRABARI  
GUWAHATI-781036

3:DIRECTORATE OF AYUSH

ASSAM  
3RD FLOOR  
SAIKIA COMMERCIAL COMPLEX  
SRI NAGAR PATH  
CHRISTIAN BASTI

GUWAHATI  
PIN-781005  
KAMRUP(M) ASSAM

4:THE JOINT DIRECTOR OF HEALTH SERVICES

BARPETA  
ASSAM  
PIN-781301

5:SENIOR ACCOUNTS OFFICER

OFFICE OF THE ACCOUNTANT GENERAL AE ASSAM  
MAIDAM GAON  
BELTOLA  
GUWAHATI-781029.

**Advocate for the Petitioner** : MR. A C SARMA, MR. P MEDHI

**Advocate for the Respondent** : SC, HEALTH, SC, AG

**BEFORE**  
**HONOURABLE MR. JUSTICE SOUMITRA SAIKIA**

**ORDER**

**27.02.2026**

Heard Mr. AC Sarma, learned counsel for the petitioners.

Issue Notice, returnable by 4 (four) weeks.

Ms. D Borah, learned Standing Counsel, Health Department appears for the respondents no.1, 2, 3 & 4 and Mr. B Sarma, learned Standing Counsel, Accountant General (A&E) appears for the respondent no. 5.

Since all the respondents are represented by their respective counsel, Notices are waived. However, extra copies be furnished to them within 1 (one)

week from today.

List the matter after 4 (four) weeks.

Pendency of the writ petition shall not be a bar for the respondents to release the provisional pension of the petitioners.

**JUDGE**

**Comparing Assistant**