

GAHC010035182026



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

Case No. : WP(C)/1001/2026

ROKIYA KHATUN AND 3 ORS
W/O LATE ABDUL BAREK PRAMANIK, R/O VILL- DIPURKUTI, P.O-
BILASIPARA, P.S- BILASIPARA, DIST- DHUBRI, ASSAM, PIN- 783348

2: SAIDUL ISLAM
(MINOR) W/O LATE ABDUL BAREK PRAMANIK
R/O VILL- DIPURKUTI
P.O- BILASIPARA
P.S- BILASIPARA
DIST- DHUBRI
ASSAM
PIN- 783348

3: BILKIS
(MINOR) D/O LATE ABDUL BAREK PRAMANIK
R/O VILL- DIPURKUTI
P.O- BILASIPARA
P.S- BILASIPARA
DIST- DHUBRI
ASSAM
PIN- 783348

4: ROBINA KHATUN
(MINOR) D/O LATE ABDUL BAREK PRAMANIK
R/O VILL- DIPURKUTI
P.O- BILASIPARA
P.S- BILASIPARA
DIST- DHUBRI
ASSAM
PIN- 78334

VERSUS

THE STATE OF ASSAM AND 9 ORS

REPRESENTED BY THE CHIEF SECRETARY TO THE GOVT. OF ASSAM,
DISPUR, GUWAHATI- 6

2:THE SECRETARY TO THE GOVT. OF ASSAM
EDUCATION DEPARTMENT
DISPUR
GHY-6

3:THE DIRECTOR
ELEMENTARY EDUCATION
ASSAM
KAHILIPARA
GHY- 19

4:THE DEPUTY COMMISSIONER
DHUBRI
ASSAM
P.O AND P.S- DHUBRI
DIST- DHUBRI
PIN- 783301

5:THE DIRECTOR OF PENSION
ASSAM HOUSEFED COMPLEX
DISPUR
GHY- 6

6:THE ACCOUNTANT GENERAL OF ASSAM
MAIDAMGAON
BELTOLA
GUWAHATI- 29

7:THE TREASURY OFFICER
BILASIPARA TREASURY OFFICE
BILASIPARA
DIST- DHUBRI
ASSAM

8:THE DISTRICT ELEMENTARY EDUCATION OFFICER
DHUBRI
ASSAM
PIN- 783301

9:THE BLOCK ELEMENTARY EDUCATION OFFICER
BILASIPARA
DIST- DHUBRI
ASSAM
PIN-783348

10:EBARAN NESSA
W/O LATE ABDUL BARIK PARAMANIK
VILL- NAYER ALGA
P.S- BILASIPARA
DIST- DHUBRI
ASSA

Advocate for the Petitioner : S S AHMED,

Advocate for the Respondent : GA, ASSAM, SC, AG,SC, TREASURY,SC, ELEM. EDU,SC,
PENSION

BEFORE
HONOURABLE MR. JUSTICE NELSON SAILO

ORDER

Date : 23.02.2026

Heard Mr. S. S. Ahmed, learned counsel for the petitioners, who submits that by filing this writ petition, the petitioners have challenged the speaking order dated 16.02.2024 (Annexure-7) passed by the Director of Pension, Assam by which the Family Pension has been given solely to the first wife of the late Government servant (respondent No.10).

The learned counsel submits that earlier the first wife had filed WP(C)/4869/2023 for family pension and the present writ petitioner No.1 who is the second wife was arrayed as one of the respondents. The writ petition was disposed of vide judgment and order dated 29.11.2023 with a direction to the parties concerned to make an endeavour for mutual settlement. However, the first wife has refused to make any settlement and therefore the speaking order has been passed.

Issue notice of motion returnable by 4(four) weeks.

Mr. G. Pegu, learned Govt. Advocate accepts notice on behalf of

respondent Nos.1, 4 and 5; Mr. P. K. Bora, learned Standing Counsel, Elementary Education Department accepts notice on behalf of respondent Nos. 2, 3, 8 and 9; Ms. H. Sarma, learned counsel accepts notice on behalf of respondent No.6 and Ms. R. M. Baruah, learned Standing Counsel, Finance Department accepts notice on behalf of respondent No.7.

Petitioners are permitted to serve notice to the respondent No.10 by way of *dasti* through Registry of this Court within 10(ten) days.

The petitioners shall thereafter file an affidavit to that effect as proof of service.

The petitioners serve requisite copies of the writ petition to all the learned counsels appearing for the respondents today within 2(two) days.

List the matter again after 4(four) weeks.

JUDGE

Comparing Assistant