

GAHC010041452024



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

Case No. : WP(C)/1207/2024

MUMTAZ BEGUM @ BEWA
WIFE OF LATE MUKTAR HUSSAIN,
VILLAGE- KARAITARI,
P.O. AND P.S.- FAKIRAGRAM,
DISTRICT- KOKRAJHAR, BTR, ASSAM,
PIN- 783345.

VERSUS

THE STATE OF ASSAM AND 6 ORS
REPRESENTED BY THE SECRETARY TO THE GOVT. OF ASSAM,
WATER RESOURCES DEPARTMENT, ASSAM,
DISPUR, GUWAHATI- 781006.

2:THE SECRETARY TO THE GOVT. OF ASSAM
PENSION AND PUBLIC GRIEVANCES DEPARTMENT
DISPUR
GUWAHATI- 781006.

3:THE ACCOUNTANT GENERAL (A AND E)
ASSAM
MAIDAMGAON
BELTOLA
GUWAHATI- 781029.

4:THE CHIEF ENGINEER
WATER RESOURCES DEPARTMENT
ASSAM
BASISTHA
GUWAHATI- 781029.

5:THE EXECUTIVE ENGINEER

WATER RESOURCES DIVISION
KOKRAJHAR
BTR
ASSAM
PIN -783370.

6:SHAINUR BEGUM @ SHAINUR BEWA
W/O LATE MUKTAR HUSSAIN

VILLAGE- LAKHIGANJ (CHAHA PARA)

P.O.- LAKHIGANJ
P.S.- BILASIPARA

DISTRICT- DHUBRI
BTR
ASSAM
PIN- 783351

Advocate for the Petitioner : MR. A M AHMED, P. GHOSH, MRS S RAHANA

Advocate for the Respondent : SC, WATER RESOURCE, SC, AG, GA, ASSAM

BEFORE
HONOURABLE MR. JUSTICE N. UNNI KRISHNAN NAIR

ORDER

Date : 06-04-2026

Mr. A.M. Ahmed, learned counsel for the petitioner, after attempting to argue the matter at some length submits that he be permitted to withdraw the present writ petition with liberty to institute appropriate proceeding claiming maintenance from the respondent No. 6, who is the first wife in receipt of the pensionary benefits with regard to the services rendered by her deceased husband in terms of the decision of the Full Bench of this Court in the case of ***Mustt Junufa Bibi Vs. Mustt Padma Begum @ Padma Bibi & 4 Ors. (judgment and order dated 22.12.2022 passed in W.A. No.160/2018).***

The prayer is not objected to by Ms. R. Deka, learned counsel for the respondents.

In view of the above, this writ petition stands dismissed with liberty to the petitioner to institute appropriate proceeding before the competent court of law claiming maintenance from the respondent No. 6.

JUDGE

Comparing Assistant