

GAHC010054132024



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

**Case No. : WP(C)/1551/2024**

NAZMUL HOQUE  
SON OF LATE AHED ALI @ AHAD ALI (F)  
AND LATE PADU BEGUM @ PADO BEGUM (M),  
RESIDENT OF VILLAGE- GHILAKURI,  
P.O.- BARAMPUR,  
DIST.- DARRANG, (ASSAM),  
PIN- 784144.

VERSUS

THE STATE OF ASSAM AND 6 ORS  
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT.  
OF ASSAM,  
PANCHAYAT AND RURAL DEVELOPMENT DEPARTMENT, ASSAM, DISPUR,  
GUWAHATI-6.

2:THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM  
PENSION AND PUBLIC GRIEVANCES DEPARTMENT  
DISPUR  
GUWAHATI-6.

3:THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM  
FINANCE DEPARTMENT  
ASSAM  
DISPUR  
GUWAHATI-6.

4:THE COMMISSIONER  
PANCHAYAT AND RURAL DEVELOPMENT DEPARTMENT  
ASSAM  
PANJABARI  
JURIPAR

GUWAHATI-37.

5:THE DIRECTOR OF PENSION  
ASSAM  
HOUSEFED COMPLEX  
DISPUR

GUWAHATI-6.

6:THE CHIEF EXECUTIVE OFFICER  
DARRANG ZILLA PARISHAD  
MANGALDAI

DIST.- DARRANG  
ASSAM

PIN- 78412

7:THE TREASURY OFFICER  
MANGALDAI TREASURY  
MANGALDAI

DIST.- DARRANG  
ASSAM

PIN- 784125

**Advocate for the Petitioner** : MR. K R PATGIRI

**Advocate for the Respondent** : SC, P AND R.D.

**BEFORE**  
**HONOURABLE MR. JUSTICE NELSON SAILO**

**ORDER**

**20.03.2024**

Heard Mr. K R Patgiri, learned counsel for the petitioner who submits that by filing this writ petition, the son of the late pensioner is claiming payment of arrear superannuation pension w.e.f. 01.04.1996 to 19.11.2005. The pensioner

expired on 29.05.2016 and therefore, the petitioner is also praying for payment of family pension w.e.f. 19.11.2005 to 29.05.2016. The employee concerned was working as Tax Collector under the establishment of respondent No. 6.

Issue notice of motion returnable by 4 (four) weeks. Mr. S Dutta, learned Standing Counsel P&RD accepts notice on behalf of respondent Nos. 1, 4 & 6. Mr. J K Goswami, learned Addl. Sr. G.A accepts notice on behalf of respondent Nos. 2 & 5. Mr. R Borpujari, learned Standing Counsel, Finance Department accepts notice on behalf of respondent Nos. 3 & 7. Notice is therefore complete. Petitioner to serve requisite extra copies of the writ petition to the learned counsels appearing today within two days.

List the matter again after 4 (four) weeks. Pendency of the writ petition will not be a bar for the respondents to settle the pensionary dues as entitled to the petitioner.

**JUDGE**

**Comparing Assistant**