

GAHC010056922020



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

Case No. : WP(C) 2639/2020

1:MINA DEKA
W/O. LT. THIREN DEKA, VILL. CHENGA, P.O. CHENGA, P.S. TARABARI,
DIST. BARPETA, ASSAM, PIN-781305.

VERSUS

1:THE STATE OF ASSAM AND 6 ORS.
TO BE REP. BY THE COMM. AND SECY. TO THE GOVT. OF ASSAM,
EDUCATION ELEMENTARY DEPTT., DISPUR, GHY.-06.

2:THE COMMISSIONER AND SECRETARY
TO THE GOVT. OF ASSAM
PENSION AND PUBLIC GRIEVANCES DEPTT.
DISPUR
GUWAHATI-06.

3:THE COMMISSIONER AND SECY.
TO THE GOVT. OF ASSAM
FINANCE DEPTT.
DISPUR
GUWAHATI-06.

4:THE DIRECTOR OF ELEMENTARY EDUCATION ASSAM
KAHILIPARA
GUWAHATI-19.

5:THE DISTRICT ELEMENTARY EDUCATION OFFICER
BARPETA
DIST. BARPETA
ASSAM
PIN-781301.

6:THE DY. INSPECTOR OF SCHOOLS
BARPETA

DIST. BARPETA
ASSAM
PIN-781301.

7:THE DIRECTOR OF PENSION
ASSAM
HOUSE FED COMPLEX
DISPUR
GUWAHATI-06

Advocate for the Petitioner : MR H TALUKDAR

Advocate for the Respondent : GA, ASSAM

BEFORE
HONOURABLE MR. JUSTICE SUMAN SHYAM

ORDER

Date : 24-06-2020

Heard Mr. H. Talukdar, learned counsel for the petitioner.

The case of the petitioner is that her prayer of payment of pension after the death of her husband has been rejected in an arbitrary manner.

Ms. M. Phukan, learned Govt. Advocate appearing for the respondent Nos. 1, 4, 5 and 6 submits that the petitioner's husband did not complete the minimum years of service to receive pension. The learned departmental counsel, however, seeks 04 weeks time to obtain complete instruction before making any further submission in the matter.

Issue notice returnable in 04 weeks.

Since Ms. Phukan has accepted notice on behalf of respondent Nos. 1, 4, 5 and 6, Ms. D.D. Barman, learned counsel for the respondent has accepted notice on behalf of respondent Nos. 2 and 7 and Mr. R. Borpujari, learned standing counsel, Finance Department has accepted notice on behalf respondent No. 3, no formal notice is required to be sent in this

case.

Extra copies be furnished to the learned standing counsel within a week from today so as to enable them to obtain instruction.

JUDGE

GS

Comparing Assistant