

GAHC010065572024



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

Case No. : WP(C)/2045/2024

SYED ABDUL WAHEB ALI
S/O- LATE ABDUR RAHMAN ,
R/O- FAKIR TOLA , HAJO,
P.S - HAJO,
DIST- KAMRUP, ASSAM,
PIN-781102

VERSUS

THE STATE OF ASSAM AND 3 ORS
REP. BY THE COMMISSIONER AND SECRETAR, TO THE GOVT. OF ASAM,
WATER RESOURCE DEPARTMENT, ASSAM
DISPUR, GUWAHATI-6.

2:THE CHIEF ENGINEER
WATER RESOURCES DEPARTMENT
CHANDMARI
GUWAHATI-03

3:THE EXECUTIVE ENGINEER
HYDRAULIC RESEARCH WATER RESOURCES DIVISION
BASISTHA
GUWAHATI-28

4:THE COMMISSIONER AND SECRETARY
TO THE GOVT. OF ASSAM
FINANCE DEPARTMENT
DISPUR
GUWAHATI-78100

Advocate for the Petitioner : MR. B K DAS, MS. P DAS

Advocate for the Respondent : SC, FINANCE, SC, WATER RESOURCE

**BEFORE
HONOURABLE MR. JUSTICE SUMAN SHYAM**

ORDER

Date : 09-06-2025

Heard Ms. P. Das, learned counsel for the writ petitioner.

Perused the averments made in the writ petition.

The writ petitioner was appointed as a Muster Roll worker on 08-09-1994 in the Water Resource Department. After having served the department for more than 22 years, he had retired on 21-03-2017 upon attaining the age of superannuation. However, despite having rendered continuous and uninterrupted service for more than 22 years, the petitioner was neither regularised in service nor has he been granted the benefit of pension. Aggrieved thereby the petitioner had made several representations before the authorities but his prayer has been turned down. Hence, this writ petition.

If the petitioner has rendered uninterrupted service as a Muster Roll worker for more than 22 years, it *prima facie* appears that his case would be covered under Rule 36 of the Assam Services (Pension) Rules, 1969.

Ms. R.M. Deka, learned standing counsel, Water Resource Department, Assam prays for 04 weeks time to obtain instruction and respond to the same.

Issue notice of motion returnable on 16-07-2025.

Since Ms. Deka has accepted notice on behalf of respondent Nos. 1 to 3 and Mr. A.

Chaliha, learned standing counsel, Finance Department, Assam for respondent No. 4, service of notice is deemed to be complete in this case.

Extra copies of the writ petition, requisite in numbers, be furnished to the learned departmental counsel so as to enable them to obtain instruction.

JUDGE

Comparing Assistant