

GAHC010088652024



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

Linked Case : **WP(C)/1827/2024**

BAKUL CH DEKA AND 4 ORS

S/O- LATE SUBAL CH. DEKA

R/O- VILL- MANAHA

P.O.- MANAHA

P.S.- JAGIROAD

PIN- 782411

DIST.- MORIGAON

(WORKING AS ASSISTANT TEACHER IN NEKARUHOB L.P. SCHOOL)

2: PRADIP MEDHI

S/O- LATE DHARMESWAR MEDHI

R/O- VILL.- DAIPARA GAON

P.O.- JHARGAON

P.S.- JAGIROAD

PIN- 782411

DIST.- MORIGAON

(WORKING AS HEAD TEACHER IN BALIMUKH L.P. SCHOOL)

3: RANI DAS

W/O- NIRANJAN MEDHI

R/O VILL- BOHAUNNAT PARA

P.O.- BARPAKH

P.S.- MOYANG

PIN- 782411

DIST.- MORIGAON
(WORKING AS HEAD TEACHER IN BOHAPAHAR L.P. SCHOOL).

4: DIPAK KUMAR KAKATI
S/O- LATE RAMESWAR KAKATI

R/O VILL- BANGALDHARA

P.O.- BANGALDHARA

DIST.- MORIGAON
(WORKING AS ASSISTANT TEACHER IN BASUNDHARI M.E. SCHOOL).

5: GANESH CHANDRA BISWAS
S/O- LATE MAHENDRA BISWAS

R/O- VILL.- THENGBHANGA

P.O.- BARPAK

DIST.- MORIGAON.
(WORKING AS ASSISTANT TEACHER IN 2 NO. BURGAON L.P. SCHOOL).
VERSUS

THE STATE OF ASSAM AND 3 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT.
OF ASSAM

EDUCATION (ELEMENTARY) DEPARTMENT

DISPUR
GUWAHATI-6.

2:THE SECRETARY TO THE GOVT. OF ASSAM
FINANCE (BUDGET) DEPARTMENT
DISPUR
GUWAHATI-6.

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

4:THE DISTRICT ELEMENTARY EDUCATION OFFICER
MORIGAON.

Advocate for : MRS. K DEVI
Advocate for : SC

ELEM. EDU appearing for THE STATE OF ASSAM AND 3 ORS

**BEFORE
HONOURABLE MR. JUSTICE SANJAY KUMAR MEDHI**

ORDER

11-06-2025

The grievance expressed in this writ petition is with regard to the aspect of the petitioners being governed by the New Pension Rules. According to the petitioners, it is the Old Pension Rules of 1969 which should be applicable in their cases.

Ms. K. Devi, learned counsel for the petitioners has submitted that the issue is presently pending adjudication before the Writ Appellate Court.

Be that as it may, let notice be issued, returnable by 6 (six) weeks.

Shri P. K. Bora, learned Standing Counsel, Elementary Education accepts notice on behalf of respondent nos. 1, 3 & 4; Ms. R. M. Baruah, learned Standing Counsel, Finance Department accepts notice on behalf of respondent no. 2.

Extra copies of the writ petition be served upon the learned counsel for the respondents within 2 (two) working days.

JUDGE

Comparing Assistant