

GAHC010070872021



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

Case No. : WP(C)/2744/2021

SUMIT HANSE
S/O- LATE SANJAY HANSE, VILL.- MAHAMAYA DUPOR TIMUNG, P.S. AND
P.O. DOKMOKA, KARBI ANGLONG, PIN- 782441, ASSAM.

VERSUS

THE STATE OF ASSAM AND 8 ORS.
REP. BY THE COMMISSIONER AND SECRETARY, P.H.E. DEPARTMENT,
GOVT. OF ASSAM, GUWAHATI, DISPUR-06.

2:THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM
THE PENSION DEPARTMENT
SACHIVALAYA
DISPUR
ASSAM- 781006.

3:THE DIRECTOR OF PENSION

HOUSEFED COMPLEX
LAST GATE
DISPUR
GUWAHATI
ASSAM- 781006.

4:THE FINANCE AND ACCOUNTS OFFICER

DIRECTORATE OF PENSION
HOUSEFED COMPLEX
DISPUR
GUWAHATI-06.

5:THE KARBI ANGLONG AUTONOMOUS COUNCIL (KAAC)

REP. BY THE PRINCIPAL SECRETARY
DIPHU
PIN0 782460.

6:THE PRINCIPAL SECRETARY

KARBI AUTONOMOUS COUNCIL (KAAC) DIPHU- 782460.

7:THE ADDITIONAL CHIEF ENGINEER
PUBLIC HEALTH ENGINEERING DEPARTMENT (PHE)
KARBI ANGLONG
DIPHU-782460.

8:THE EXECUTIVE ENGINEER

PUBLIC HEALTH ENGINEERING DEPARTMENT (PHE)
HOWRAGHAT DIVISION
HOWRAGHAT
KARBI ANGLONG
PIN- 782481.

9:THE ACCOUNTANT GENERAL (A AND E)
ASSAM
MAIDAMGAON
BELTOLA
GUWAHATI-29

Advocate for the Petitioner : MR B P BORAH

Advocate for the Respondent : GA, ASSAM

**BEFORE
HONOURABLE MR. JUSTICE MICHAEL ZOTHANKHUMA**

ORDER

Date : 21.04.2021

Mr. B.P. Borah, learned counsel for the petitioner submits that though the petitioner's father is not a regular Government servant, the petitioner can be considered for grant of benefits under the "Scheme for Compassionate Family Pension in view of compassionate appointment", (CFP Scheme) issued vide Notification dated 14.09.2017.

He also submits that the petitioner's father does not have any regularization order issued by the Government, regularizing the services of the petitioner's father as work charged Khalasi. He however submits that dependants of work charged Khalasi are entitled to the benefits of the CFP Scheme, issued vide Notification dated 14.09.2017.

Issue notice, returnable in 4 (four) weeks.

Mr. R. Dhar, learned counsel accepts notice on behalf of the respondent No. 9, Mr. S.S. Roy, learned counsel accepts notice on behalf of the respondent Nos. 2, 3 & 4, Mr. D. Gogoi, learned counsel accepts notice on behalf of the respondent No. 1 and Mr. J. Chutia, learned counsel accepts notice on behalf of the respondent Nos. 5 to 8.

On the oral prayer made by Mr. B.P. Borah, learned counsel for the petitioner, the Principal Secretary to the Government of Assam, Finance Department is impleaded as respondent No. 10. Registry to make necessary correction to the cause title.

Mr. P. Nayak, learned counsel accepts notice on behalf of the respondent No. 10.

List the matter **after 4 (four) weeks.**

JUDGE

Comparing Assistant