

GAHC010071012019



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

Case No. : WP(C)/2237/2019

JATINDRA KR. GOSWAMI
S/O- LT NARAYAN CH. GOSWAMI, R/O- VILL AND P.O. GOBINDAPUR, P.S.
PATACHARKUCHI, DIST- BARPETA, ASSAM

VERSUS

THE STATE OF ASSAM AND 3 ORS.
REP. BY THE COMM. AND SECY. TO THE GOVT. OF ASSAM, POLITICAL (A)
DEPTT., DISPUR, GHY-6

2:THE CHIEF SECY. TO THE GOVT. OF ASSAM
DISPUR
GHY-6

3:THE ASSAM HUMAN RIGHTS COMMISSION
REP. BY ITS SECY.
STATFED H O BUILDING
GMC ROAD
BHANGAGARH
GHY-5

4:THE COMM. ANND SECY. TO THE GOVT. OF ASSAM
FINANCE (ESTT.) DEPTT.
DISPUR
GHY-

Advocate for the Petitioner : MR. S BARUAH

Advocate for the Respondent : GA, ASSAM

**BEFORE
HONOURABLE MR. JUSTICE SUMAN SHYAM**

ORDER

Date : 10/03/2023

Heard Mr. S. Chauhan, learned counsel for the writ petitioner. None has appeared for the Assam Human Rights Commission i.e. the respondent no. 3. Mr. P. Nayak, learned Standing Counsel, Finance Department, Assam, submits that this case is covered under the decision of the Hon'ble Supreme Court of India wherein, it has been held that the date of regularization in service would only count for computing the pensionable period of service. In the present case, the petitioner's service is regularized only in the year 2006 and, therefore, he will be governed by the New Pension Scheme. Similar is the submission of Mr.C.S. Hazarika, learned Additional Senior Government Advocate, Assam. The learned departmental counsel, however, pray for two weeks' time to produce the decision of the Supreme Court.

List the matter again after three weeks.

JUDGE

sukhamay

Comparing Assistant