

GAHC010079532026



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

Case No. : WP(C)/2337/2026

MUKLESH ALI
S/O MADAN ALI, R/O HOUSE NO 29, DARANDHA, KABARSTHAN PATH,
SIXMILE, GUWAHATI 781022, P.O. SIX MILE, P.S. DISPUR.

VERSUS

THE STATE OF ASSAM AND 10 ORS
REPRESENTED BY THE COMMISSIONER AND SECY. TO THE GOVT. OF
ASSAM, PENSION AND PUBLIC GRIEVANCES DEPTT., SACHIVALAYA,
DISPUR, ASSAM 781006

2:THE PRINCIPAL SECRETARY
GOVT. OF ASSAM
FINANCE DEPARTMENT
DISPUR
GUWAHATI-06.

3:THE PRINCIPAL ACCOUNTANT (A AND E)
ASSAM
MAIDAMGAON
BELTOLA
GUWAHATI-781029.

4:THE SENIOR ACCOUNTS OFFICER
OFFICE OF THE PRINCIPAL ACCOUNTANT GENERAL (A AND E)
ASSAM
MAIDAMGAON
BELTOLA
GUWAHATI-781029.

5:THE PRINCIPAL CHIEF CONSERVATOR OF FOREST AND HEAD OF
FOREST FORCE

ARANYA BHAWAN
PANJABARI
GUWAHATI-781037.

6:THE SECRETARY TO THE GOVT. OF ASSAM
ENVIRONMENT AND FOREST DEPARTMENT
DISPUR
GUWAHATI-781006.

7:THE ADDITIONAL SECRETARY TO THE GOVT. OF ASSAM
ENVIRONMENT AND FOREST DEPARTMENT
DISPUR
GUWAHATI-781006.

8:THE FOREST UTILIZATION OFFICER
ENVIRONMENT AND FOREST DEPARTMENT
JALUKBARI
GHY-781014.

9:THE DIRECTOR OF PENSION
GOVT. OF ASSAM
HOUSEFED COMPLEX
LAST GATE
DISPUR
GHY-781006.

10:THE FINANCE AND ACCOUNTS OFFICER
DIRECTORATE OF PENSION
HOUSEFED COMPLEX
DISPUR
GHY-781006.

11:THE TREASURY OFFICER
KAMRUP(M)
GUWAHATI
ASSAM-781001

Advocate for the Petitioner : MR. B P BORAH, MR R YASIN,MD. A CHOUDHURY

Advocate for the Respondent : GA, ASSAM, SC, FINANCE,SC, AG,SC, FOREST

**BEFORE
HONOURABLE MR. JUSTICE SOUMITRA SAIKIA**

ORDER

06.05.2026

Heard Mr. BP Borah, learned counsel for the petitioner.

The petitioner is aggrieved that the respondents, more particularly, the Office of the Accountant General is seeking clarification for recovery of purported excess drawal by the writ petitioner during his service tenure. In this context, learned counsel for the petitioner has referred to the communication issued by the Forest Department and submits that according to the Forest Department, no excess payment was made during the service tenure of the petitioner and therefore, there is no recovery necessary. However, in spite of this clarification, the Office of the Accountant General is seeking further clarification. Apprehending that some recovery may be made, the petitioner is, accordingly, before this Court.

Issue Notice, returnable by 4 (four) weeks.

Mr. D Gogoi, learned Standing Counsel, Forest Department appears and accepts notice on behalf of the respondents no. 5, 6, 7 & 8, Mr. RK Talukdar, learned Standing Counsel, Accountant General appears and accepts notice on behalf of the respondents no. 3 & 4, Ms. A Borthakur, learned counsel for the

Finance Department appears and accepts notice on behalf of the respondents no. 2 & 11 and Mr. A Chakrabarty, learned State Counsel, Assam appears and accepts notice on behalf of the respondents no. 1, 9 & 10.

Since all the respondents are represented by their respective counsel, notices are waived. However, extra copies be furnished to them within 1 (one) week from today.

Since the Forest Department has already clarified that there is no excess drawal or excess payment made to the petitioner, any recovery if the Department is subsequently considering to recover from the writ petitioner shall not be done without the leave of the Court during the pendency of the Court.

Let the matter be listed after the returnable date.

JUDGE

Comparing Assistant