

GAHC010084042021



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

Case No. : WP(C)/3596/2021

KANAM TERANGPI AND 2 ORS.
D/O LATE RANJIT TERANG
RESIDENT OF VILLAGE SARTHE TISSO,
PO KAT TERON, PS RONGMONGVE
DIST KARBI ANGLONG, ASSAM

2: SMTI KADOM SINGNARPI
DAUGHTER IN LAW OF LATE RANJIT TERANG
RESIDENT OF VILLAGE SARTHE TISSO

PO KAT TERON
PS RONGMONGVE
DIST KARBI ANGLONG
ASSAM

3: SRI MUKRANG TERANG
GRAND SON OF LATE RANJIT TERANG
RESIDENT OF VILLAGE SARTHE TISSO

PO KAT TERON
PS RONGMONGVE
DIST KARBI ANGLONG
ASSAM

THE PETITIONER BEING MINOR IS REPRESENTED BY HER MOTHER PET.
NO. 0

VERSUS

THE STATE OF ASSAM AND 4 ORS.
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT.
OF ASSAM, SOIL CONSERVATION DEPARTMENT, DISPUR GUWAHATI 06

2: THE COMMISSIONER AND SECRETARY

FINANCE DEPARTMENT
DISPUR
GUWAHATI 06

3:DIRECTOR OF SOIL CONSERVATION

ASSAM BHUMI SANGRAKSHAN BHAWAN
FIRST FLOOR
R.G BARUA ROAD
GUWAHATI 781005

4:ASSAM PLANTATION CROPS DEVELOPMENT CORPORATION LTD

OPP. SARUSAJAI NATIONAL COMPLEX
SAWKUCHI NATIONAL HIGHWAY 37
LAKHARA
GUWAHATI 781034
ASSAM REPRESENTED BY ITS MANAGING DIRECTOR

5:THE MANAGING DIRECTOR
ASSAM PLANTATION CROPS DEVELOPMENT CORPORATION LIMITED
OPP. SARUSAJAI NATIONAL COMPLEX
SAWKUCHI NATIONAL HIGHWAY 37
LAKHARA
GUWAHATI 781034
ASSA

Advocate for the Petitioner : MR. A BHATTACHARYYA

Advocate for the Respondent : SC, SOIL CONSERVATION DEPTT.

BEFORE
HONOURABLE MR. JUSTICE KALYAN RAI SURANA

ORDER

Date : 09.08.2021

Heard Mr. P.S. Raja, learned counsel for the petitioner. Also heard Mr. B. Gogoi, learned standing counsel for all the respondents.

It is projected that the father of the petitioner died-in-harness on 12.10.2014 having rendered 33 years of service under the Assam Plantation

Crops Development Corporation Limited and at the time of his death, he was working as a Field Supervisor of the Corporation. It is claimed that the petitioner being his only legal heir was not granted the retirement dues i.e. gratuity and leave encashment benefits for which he was entitled. Accordingly, this writ petition has been filed under Article 226 of the Constitution of India.

Issue notice returnable on 27.09.2021.

As all the respondents are represented, requisite additional copies of the writ petition be furnished to the learned departmental counsel in course of the day today.

The pendency of the writ petition shall not be a bar for the respondents authority to calculate the retirement benefits, gratuity and leave encashment to the petitioner if the petitioner is found entitled and to disburse the same to the petitioner.

List on 27.09.2021.

JUDGE

Comparing Assistant