

GAHC010057072021



2025:GAU-AS:13174

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. 02
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
ASSAM

Advocate for : MR. A BHATTACHARYYA
Advocate for : SC
SOIL CONSERVATION DEPTT. appearing for THE STATE OF ASSAM AND 4
ORS.

BEFORE
HONOURABLE MR. JUSTICE ANJAN MONI KALITA

ORDER

Date : 24.09.2025

Heard Mr. A. Bhattacharyya, learned counsel for the petitioner. Also heard Mr. P. Hazarika, learned counsel appearing on behalf of respondent nos. 1, 3, 4 & 5; and Mr. P.

Nayak, learned Standing Counsel, Finance Department for the respondent no. 2.

2. This instant case has been filed by the petitioner under Article 226 of the Constitution of India praying for a direction to the respondent authorities to make payment of retirement benefits to the petitioner including the Gratuity and Leave Encashment benefits with interest. The claimant in the instant writ petition after serving the respondent corporation for about 33 (thirty-three) years, expired on 12.10.2014 while serving as a Field Supervisor in the respondent Corporation. However, till date, his retirement benefits, i.e., Gratuity and Leave Encashment benefits are yet to be paid.

3. It is seen that during the pendency of the writ petition, the respondent department by way of an additional affidavit brought to the notice of this Court that vide a State Cabinet decision dated 27.08.2025, the State Cabinet has given the approval for closure of the respondent corporation. It has been stated in the affidavit that the amounts of retirement benefits of the petitioner along with some other petitioners shall be included in the Closure Cost of the corporation which the Hon'ble Cabinet has approved. It is also seen from the extract of the minutes of the Cabinet meeting held on 27.08.2025 at 3-30 pm in the Cabinet Room of Chief Minister's Office, Dispur that financial sanction for an amount of Rs. 600,00,000/- (VRS amount Rs. 243,37,000/- + Closure Cost Rs. 356,24,000/-) has been given by the Cabinet.

4. In view of the aforesaid affidavit filed by the respondents, the petitioner has agreed to approach the respondent department for the retirement benefits he is seeking under the instant writ petition.

5. In view of aforesaid facts that have been brought on record, this Court is of the considered opinion that there is no purpose of keeping this writ petition alive in this Court and, therefore, this Court directs the petitioner to submit his claim before the respondent department at the earliest so that the department may consider releasing his retirement benefits as soon as possible.

6. The petitioner shall submit a copy of this Order to the department as early as possible and accordingly, the department will decide on such claim.

7. Accordingly, this writ petition is disposed of with the aforesaid directions.

JUDGE

Comparing Assistant