

GAHC010090842022



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

Case No. : WP(C)/3317/2022

ZAKIR HUSSAIN BEG AND 67 ORS.

(A/T) S/O- LATE AZMAT ALI VILL- 1 NO. TITKURI PO- TITKURI DIST.
KAMRUP (ASSAM), PIN-781354 61 NO. TITKURI LPS DOB- 01/03/1971
BLOCK - RANGIA

2: DASARATH KALITA (A/T)

S/O- LATE MAGHU RAM KALITA VILL AND PO- UDIANA DIST. KAMRUP
(ASSAM)
PIN-781354 36 NO. BARKUKURIA CPLPS DOB- 01/08/1964 BLOCK -
RANGIA.

3: HIREN KALITA (A/T)

S/O- LT. DUTI RAM KALITA VILL AND PO- BALISATRA DIST. KAMRUP
(ASSAM) PIN-781350 BARANGHATI SR. BASIC SCHOOL DOB- 01/01/1967
BLOCK - RANGIA.

4: BANESHWAR KALITA (H/T)

S/O- LT. PABAN CH. KALITA VILL- DAHARA (BAGHBARI) PO-RANGIA
DIST. KAMRUP (ASSAM)
PIN-781354 127 NO. DALAIGAON LPS DOB- 09/01/1966 BLOCK - RANGIA.

5: KANAK KALITA (A/T)

S/O- LATE BHABEN KALITA VILL AND PO- TULSHIBARI DIST. KAMRUP
ASSAM
PIN-781376 BAIDYAGARH HIGH SCHOOL DOB-05/04/1971 I.S.- KDC
AMINGAON.

6: SYEDA SALIMA BEGUM (A/T)

D/O- LT. PAHAR ALI VILL- BARKURIHA P.O.-TITKURI DIST. KAMRUP
(ASSAM) 38 NO. BARKURIHA JB SCHOOL DOB- 01/03/1974 BLOCK-
RANGIA.

7: ACHYUT CH. GOSWAMI (A/T)

S/O- PADMA NARAYAN GOSWAMI VILL- 2 NO. TITKURI P.O.-TITKURI

PIN-781354 17 NO. TITKURI SESAPAR LPS DOB- 01/11/1973 BLOCK - RANGIA.

8: MANIKA DEKA SAIKIA (A/T)
H/O- LATE KARUNA SAIKIA VILL-CHEPTI PO-RANGIA PIN-781354
ARONODAI LPS DOB- 30/01/1969 BLOCK - RANGIA.

9: JOGEN KALITA (A/T)
S/O- SATRAM KALITA VILL-DAHARA PO-RANGIA PIN-781354 83 NO.
KUMARPARA BALIKA LPS DOB-01/09/1966 BLOCK- RANGIA.

10: SATISH CH. DEKA (H/T)
S/O- MANMOHAN DEKA VILL-KARARA PO-KARARA DIST. KAMRUP PIN-
781381 2 NO. KARARA LP SCHOOL DOB- 01/09/1975 BLOCK - KARARA.

11: MURULIDHAR SARMA (AT)
S/O- LT. BAIKUNTHA SARMA VILL- PINGALESWAR PO- KARARA DIST.
KAMRUP (ASSAM) PIN-781381 KHARIKATA HIGH SCHOOL DOB- 01/04/1970
I.S.- KDC
AMINGAON.

12: GANESH KALITA (H/T)
S/O- SUMDUTTA KALITA VILL-BANGALIKUCHI PO-RANGIA PS-RANGIA
PIN-781354 44 NO. TITKURI LPS DOB- 01/03/1963 BLOCK- RANGIA.

13: LAKHYA DHAR BAISHYA (A/T)
S/O- GOPI RAM BAISHYA WARD NO.7 PO- RANGIA DIST. KAMRUP PIN-
781354 TULSHIBARI BAHUMUKHI H.S.S. DOB- 02/10/1971 I.S.- KDC
AMINGAON.

14: ACHINTYA KR. SARMA (AT)
S/O- LT. ANANTA MOHAN SARMA VILL- 2 NO. NAKUL PO- RANGIA DIST.
KAMRUP (ASSAM) PIN-781354 43 NO. DAGAON LPS DOB-01/03/1969 BLOCK
- RANGIA.

15: SATTAR ALI (AT)
S/O- LT. DUKHIA ALI VILL- 3 NO. HACHANG PO- MADHUKUCHI DIST.
KAMRUP (ASSAM) PIN-781354 35 NO. HACHANG LPS DOB-17/01/1967
BLOCK RANGIA.

16: HASIM ALI (HT)
S/O- KHASNUR ALI VILL-KACHARI SOLMARI PO- KACHARI SOLMARI
DIST. KAMRUP (ASSAM) PIN-781354 108 NO. PACHIM BHEHBARI LPS DOB-
20/02/1978 BLOCK - RANGIA.

17: ABDUL RAHMAN (A/T)
S/O- HUSSAIN ALI VILL- KACHARI SOLMARI PO-RANGIA DIST. KAMUP
(ASSAM) 48 NO. BARKURIHA LPS DOB-01/10/1965 BLOCK- RANGIA.

18: BIREN CH. DAS (A/T)

S/O- LT. SRIKANTA DAS VILL- 1 NO. HACHANG PO- MADHUKUCHI DIST. KAMRUP (ASSAM) PIN-781354 46 NO. NIZ HACHANG LPS DOB-01/07/1970 BLOCK- RANGIA.

19: SAROJINI KALITA (A/T)

W/O- MANAMIL KALITA VILL- NANARA PO- KARARA DIST. KAMRUP (ASSAM) PIN-781381 KHARIKATA H.S. DOB- 01/01/1971 I.S.- KDC AMINGAON.

20: DANDESWAR KALITA (H/T)

S/O- LT. BHADRESWAR KALITA VILL-ISCHADAGHARIA PO-KANIHA DIST. KAMRUP (ASSAM) PIN-781380 7 NO. ISCHADAGHARIA BALAK L.P.S. DOB- 01/01/1974 BLOCK- RANGIA.

21: TRISHNA DEVI (A/T)

D/O- SHYAM PRASHAD SARMA VILL-BAREGAON PO-KARARA DIST. KAMRUP (ASSAM) TRIBENI MES DOB- 01/11/1975 BLOCK- KARARA.

22: DHIRESWAR KALITA (A/T)

S/O- DURGA RAM KALITA VILL- KANIKUCHI PO- KANIHA DIST. KAMRUP (ASSAM) PIN-781380 DHUHI JANAKALYAN L.P.S. DOB-01/03/1974 BLOCK- RANGIA.

23: KIRAN DAS (A/T)

D/O- THANU RAM DAS VILL- MADHUKUCHI PO- MADHUKUCHI DIST. KAMRUP (ASSAM) PIN-781354 MADHUKUCHI H.S. DOB- 01/09/1967 I.S.- KDC AMINGAON.

24: NRIPENDRA RAJBONGSHI (A/T)

S/O- LATE ARABINDA DHAR DAS VILL- MADHUKUCHI PO-MADHUKUCHI DIST. KAMRUP (ASSAM) PIN-781354 MADHUKUCHI H.S. DOB- 01/03/1964 I.S.- KDC AMINGAON

25: HEMANTA SARMA (H/T)

S/O- DINA NATH SARMA VILL- DIMU PO- KSHUDRA DIMU DIST. KAMRUP (ASSAM) PIN-781354 10 NO. DIMU LPS DOB-01-04-1968 BLOCK- RANGIA.

26: MANABENDRA DEKA (H/T)

S/O- ANGAD CH. DEKA VILL- NABURKA SATRA PO- KSHUDRA DIMU DIST. KAMRUP (ASSAM) PIN-781382 10 NO. DIMU LPS DOB-01/03/1975 BLOCK RANGIA

27: THANESWAR DAS (H/T)

S/O- LT. PUWA RAM DAS VILL- BARGAON PO- BIHDIA DIST. KAMRUP

(ASSAM) PIN-781381 120 NO. BARGAON LPS DOB-03/06/1972 BLOCK-KARARA.

28: GAGAN CH. BARUAH (A/T)
S/O- TARENI BARUAH VILL- BIHDIA PO-BIHDIA DIST. KAMRUP (ASSAM)
BIHDIA ADARSHA H.S. DOB-03/01/1973 I.S.- KDC
AMINGAON

29: SABYA DEKA (A/T)
W/O- DHIREN CH. KALITA VILL-BAMA PO-KARARA DIST. KAMRUP
(ASSAM) PIN-781382 TRIBENI M.E.S. DOB- 09/01/1970 BLOCK- KARARA

30: KAMALESWAR DEKA (A/T)
S/O- TARANI KANTA DEKA VILLANDPO- BIHDIA DIST. KAMRUP (ASSAM)
PIN-781381 BELKONA M.V.S. DOB-25/01/1976 BLOCK- KARARA

31: SYED FIROZ HUSSAIN (A/T)
S/O- LT. ABEDUZ JAMAN VILL- BARKUKURIA PO-UDIANA DIST. KAMRUP
(ASSAM) UDIANA M.E.S. DOB- 01/05/1968 BLOCK- RANGIA

32: DAYA RAM KALITA (A/T)
S/O-NANDA RAM KALITA VILL-KANIKUCHI PO-KANIHA DIST. KAMRUP
(ASSAM) PIN-781380 191 NO. GARAMSUNG L.P.S. DOB- 29/01/1969 BLOCK-RANGIA

33: DILIP KUMAR DAS (A/T)
S/O- DHANI RAM DAS VILL- 2 NO. NAKUL PO- RANGIA DIST. KAMRUP
(ASSAM) PIN-781354 PUB RANGIA H.S. DOB-31/12/1963 I.S.- KDC
AMINGAON

34: UDDHAB KALITA (H/T)
S/O- PRAFULLA KALITA VILL- NABURKA SATRA PO- KSHUDRA DIMU
DIST. KAMRUP (ASSAM) PIN-781350 BARGHULI L.P.S. DOB-01/08/1971
BLOCK- RANGIA

35: NAGEN CH. KALITA
S/O- LT. LALIT CH. KALITA VILL- ISCHADAGHARIA PO-KANIHA DIST.
KAMRUP (ASSAM) PIN-781380 190 NO. BARANGHATI L.P.S. DOB- 01/03/1975
BLOCK- RANGIA

36: JAKIR HUSSAIN (A/T)
S/O- ELEISH ALI VILL-BHEHBARI PO-GURMOW DIST. KAMRUP (ASSAM)
PIN-781354 42 NO. PANARA LPS DOB- 01/03/1971 BLOCK- RANGIA

37: ABDUL KHALEQUE (A/T)
S/O- SD. SARIFUDDIN AHMED VILL- 1 NO. TITKURI PO-TITKURI DIST.
KAMRUP (ASSAM) PIN-781354 DHANKHANDA L.P.S. DOB-01/06/1977
BLOCK- RANGIA

38: KRISHNA KALITA

S/O- LATE NEKARU KALITA VILL- PACHIMPAR BAGHBARI PO-RANGIA
DIST- KAMRUP (ASSAM) PIN-781354 210 NO. GHORATHAL L.P. SCHOOL
DOB - 09/10/1961 BLOCK -RANGIA

39: TILAK CH. KALITA (A/T)

S/O- LT. RANGO RAM KALITA VILL- KANIKUCHI PO- KANIHA DIST.
KAMRUP (ASSAM) PIN-781380 JANATA SISHU VIDYALAYA DOB-01/07/1972
BLOCK- RANGIA.

40: ATUL CH. BARO (A/T)

S/O- LT. BOMA CH. BORO VILL- PACHIM CHITARA PO- RANGIA DIST.
KAMRUP (ASSAM) PIN-781354 79 NO. BHATKUCHI LPS DOB-01/02/1964
BLOCK- RANGIA

41: BIREN KALITA (A/T)

S/O- LT. ANIRUDHA KALITA VILL-ISCHADAGHARIA PO-KANIHA DIST.
KAMRUP PIN-781380 7 NO. ISCHADGHARIA BALAK LPS DOB- 01/08/1967
BLOCK- RANGIA

42: MILAN DEKA (H/T)

S/O- LT. PHATIK DEKA VILL- GARIAKOTH PO-JAMTOLA DIST. KAMRUP
(ASSAM) PIN-781365 72 NO. KEKOHATI JBS DOB- 10/09/1976 BLOCK-
RANGIA

43: MD. SIDDIK ALI (A/T)

S/O- SADEK ALI VILL- KACHARI SOLMARI PO-RANGIA DIST. KAMRUP
(ASSAM) PIN-781354 36 NO. BARDAL LPS DOB- 01/05/1973 BLOCK- RANGIA

44: PRAMOD SARMA (RETIRED)

S/O- LT. BIBHAB NANDA DEVA SARMA VILL- 1 NO. DOBOK PO- DOBOK
DIST. KAMRUP (ASSAM) PIN-781380 200 NO. SIMALUA LPS DOB- 01/01/1958
BLOCK- RANGIA

45: RUMI CHAKRABARTI (A/T)

W/O- PURNA GOSWAMI VILL- MUKTAPUR PO-LOCH DIST. KAMRUP
(ASSAM) PIN-781381 MUKTAPUR HIGH SCHOOL DOB- 01/03/1974 I.S.- KDC
AMINGAON

46: KUMUD KALITA (A/T)

S/O- LT. TITHI RAM KALITA VILLANDPO- TULSHIBARI DIST. KAMRUP
(ASSAM) PIN-781376 126 NO. TULSHIBARI LPS DOB- 01/05/1966 BLOCK-
RANGIA.

47: MANIRAM DAS (RETIRED)

S/O- MAHI RAM DAS VILL-GUIYA PO-SONESWAR DIST. KAMRUP (ASSAM)

PIN-781382 1239 NO. DHANUKA LPS BLOCK- KAMALPUR

48: RAJDHAR DAS (RETIRED)

S/O- DHARESWAR DAS VILL- NIZ BORIGOG PO-KANIHA DIST. KAMRUP
(ASSAM) PIN-781380 252 NO. CHANMAGURI LPS DOB-01/11/1961 BLOCK-
RANGIA.

49: RATNA RAM DAS (H/T)

S/O- DADHI RAM DAS VILL- BHAI RA PO- MARANJANA DIST. KAMRUP
(ASSAM) PIN-781354 54 NO. KACHARI SOLMARI LPS DOB-01/04/1970
BLOCK- RANGIA.

50: SAILENDRA KUMAR SARMA (A/T)

S/O- LT. SATICH CH. SARMA VILL- 1 NO. DOBOK PO- DOBOK DIST.
KAMRUP (ASSAM) PIN-781380 SANKARDEV BIDYAMANDIR H.S. DOB-
06/04/1969 I.S.- KDC
AMINGAON

51: DEBAJIT BAISHYA (A/T)

S/O- LT. ALI RAM BAISHYA VILL- BARMURA PO- RANGIA DIST. KAMRUP
(ASSAM) PIN-781354 HARDUTTA BIRDUTTA H.S. DOB-01/10/1971 I.S.- KDC
AMINGAON

52: NARESWAR HALOI (A/T)

S/O- LT. HANGSHA RAM HALOI VILL-CHAPANIA PO-RANGIA DIST.
KAMRUP (ASSAM) PIN-781354 HARDUTTA BIRDUTTA H.S. DOB-01/04/1967
I.S.- KDC
AMINGAON

53: KAILASH SARMA (A/T)

S/O- LT. MAHIDHAR SARMA VILL- KANIHA PO- KANIHA DIST. KAMRUP
(ASSAM) PIN-781380 KANIHA M.V. SCHOOL DOB-01/03/1974 BLOCK-
RANGIA

54: HEMEN DAS (A/T)

S/O- LT. SONA RAM DAS VILL- 2 NO. DOBOK PO- DOBOK DIST. KAMRUP
(ASSAM) PIN-781380 SANKARDEV BIDYAMANDIR H.S. DOB- 01/12/1976
I.S.- KDC
AMINGAON

55: JOYANTA KALITA (A/T)

S/O- LT. KHAGENDRA KALITA VILL- NABURKA SATRA PO- KSHUDRA
DIMU DIST. KAMRUP (ASSAM) PIN- 781380 SANKARDEV VIDYAMANDIR
HIGH SCHOOL DOB- 01/07/1971 I.S.- KDC
AMINGAON

56: SANTA RAM LAHKAR (A/T)

S/O- LT. ANANDA LAHKAR VILL- BARPULLA PO- BARANGHATI DIST.

KAMRUP (ASSAM) PIN-781310 PUB BALISATRA LPS DOB- 01/03/1966
BLOCK- RANGIA

57: BIMAL SARMA (A/T)
S/O- LT. LAKSHI NATH SARMA VILL- GARAMSUNG PO- BARANGHATI
DIST. KAMRUP (ASSAM) PIN-781350 GARAMCHUNG LPS DOB- 01/03/1966
BLOCK- RANGIA

58: TRAILOKYA KALITA (H/T)
S/O- UMESH CH. KALITA VILL-DAHARA (BAGHBARI) PO- RANGIA DIST.
KAMRUP (ASSAM) PIN-781354 KARARA GARBHITAR LPS DOB-04/11/1969
BLOCK- RANGIA

59: RABIN KALITA (A/T)
S/O- MANMIL KALITA VILL- MURARA
KHAIRABARI PO-RANGIA DIST. KAMRUP (ASSAM) PIN-781354 50 NO.
KASKATA LPS DOB- 31/07/1976 BLOCK- RANGIA

60: MAINUL HAQUE ALI (A/T)
S/O- SULTAN ALI WARD NO. 10 PO-RANGIA DIST. KAMRUP (ASSAM) PIN-
781354 FAKIRTOLA LPS DOB- 01/07/1971 BLOCK- RANGIA

61: LOHIT CH. DAS (H/T)
S/O- RATHI RAM DAS VILL- HAIRANDAB TOKANKATA PO- JAMTOLA
DIST. KAMRUP (ASSAM) PIN- 781354 121 NO. HAIRANDAB TOKANKATA
LPS DOB- 01/01/1967 BLOCK- RANGIA

62: PRAMOD DAS (H/T)
S/O- LT. SUKRA RAM DAS VILL- BICHENNALA PO- JAMTOLA DIST.
KAMRUP (ASSAM) PIN-781354 118 NO. BICHENNALA JBS DOB- 01/08/1962
BLOCK- RANGIA

63: SD. JAKIR HUSSAIN (A/T)
S/O- LT. ASRAF ALI VILL- 1 NO. DHUHI PO-DHUHI DIST. KAMRUP
(ASSAM) PIN-781350 S.A. AHMED MILAN LPS DOB- 10/09/1968 BLOCK-
RANGIA

64: GAYATRI PATHAK MAHANTA (A/T)
W/O- RAMESH PATHAK VILL- CHEPTI PO- RANGIA DIST. KAMRUP
(ASSAM) PIN-781354 25 NO. NAKUL GARAKA LPS DOB-01/02/1965 BLOCK-
RANGIA.

65: PRATUL DEKA (A/T)
S/O- KAMESWAR DEKA VILL ANDPO- GOPALPUR DIST. KAMRUP (ASSAM)
PIN-781354 81 NO. BARKURIA GOPALPUR LPS DOB- 11/01/1965 BLOCK-
RANGIA

66: KISHOR KUMAR (A/T)

S/O- LT. MAHESWAR KUMAR VILL AND PO- BALISATRA DIST. KAMRUP
(ASSAM) PIN-781350 PUB BALISATRA LPS DOB- 01/03/1964 BLOCK-
RANGIA

67: TAPAN BARUAH (A/T)

S/O- LT. PRAFULLA BARUAH VILL-DAKSHIN SITARA PO-RANGIA DIST.
KAMRUP (ASSAM) PIN-781354 1 NO. GOPALPUR LPS DOB- 01/07/1966
BLOCK- RANGIA

68: PAKIJA PARBIN (A/T)

D/O- LT. KHAIRAT ALI VILL- DEKARKUCHI PO-SONESWAR DIST. KAMRUP
(ASSAM) PIN-781382 JALIMURA LPS DOB-21/04/1970 BLOCK- KAMALPUR

VERSUS

THE STATE OF ASSAM AND 6 ORS.
REPRESENTED BY ITS COMMISSIONER AND SECRETARY TO THE
GOVERNMENT OF ASSAM, EDUCATION(ELEMENTARY) DEPARTMENT ,
DISPUR-06, ASSAM.

2:THE STATE OF ASSAM
REPRESENTED BY COMMISSIONER AND SECRETARY TO THE
GOVERNMENT OF ASSAM
THE PENSION DEPARTMENT
SACHIVALAYA
DISPUR
ASSAM-781006.

3:THE DIRECTOR OF PENSION

HOUSEFED COMPLEX
LAST GATE
DISPUR
GUWAHATI
ASSAM- 781006.

4:THE COMMISSIONER AND SECRETARY TO THE GOVERNMENT OF
ASSAM
FINANCE DEPARTMENT
DISPUR
GUWAHATI-6.

5:THE ADDITIONAL CHIEF SECRETARY
TO THE GOVT. OF ASSAM
FINANCE DEPTT.
DISPUR
GHY-6.

6:THE FINANCE AND ACCOUNTS OFFICER
DIRECTORATE OF PENSION
HOUSEFED COMPLEX
DISPUR
GUWAHATI-06.

7:THE INSPECTOR OF SCHOOL

DISTRICT CIRCLE
KAMRUP

Advocate for the Petitioner : MR. P K GOSWAMI

Advocate for the Respondent : GA, ASSAM

**BEFORE
HONOURABLE MR. JUSTICE ACHINTYA MALLA BUJOR BARUA**

O R D E R

23.05.2022

List this matter before any other bench without me (A.M Bujor Barua, J).

JUDGE

Comparing Assistant