

GAHC010094792026



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

**Case No. : WP(C)/2607/2026**

DILIP KUMAR DUTTA  
SON OF LATE SONACHAND DUTTA, RESIDENT OF RONGPUR PT.  
IV, RAJPATH ROAD, P.O. - RONGPUR, SILCHAR, P.S.-SILCHAR, DISTRICT.-  
CACHAR, ASSAM, PIN- 788009.

VERSUS

THE STATE OF ASSAM AND OTHERS  
REPRESENTED BY THE COMMISSIONER AND SECRETARY, GOVT. OF  
ASSAM, PENSION DEPARTMENT, SACHIVALAYA, DISPUR, ASSAM, PIN  
781006.

2: THE STATE OF ASSAM  
REPRESENTED BY THE COMMISSIONER AND SECRETARY GOVT. OF  
ASSAM ENVIRONMENT  
FOREST AND CLIMATE CHANGE DEPARTMENT DISPUR PIN 781006.

3: THE PRINCIPAL CHIEF CONSERVATOR OF FORESTS AND HEAD OF  
FOREST FORCE

ASSAM  
ARANYA BHAWAN  
PANJABARI  
GUWAHATI-781037.

4: THE DIVISIONAL FOREST OFFICER

CACHAR  
P.O P.S. SILCHAR  
CACHAR  
ASSAM  
PIN- 788001.

5:THE ACCOUNTANT GENERAL (A AND E)

ASSAM  
MADAIMGAON  
BELTOLA  
GUWAHATI-781029

**Advocate for the Petitioner** : MR. M R SODIAL, MS S Z HAYAT,MR. RAJIB ALI

**Advocate for the Respondent** : GA, ASSAM, SC, AG (A AND E),SC, FOREST

**BEFORE**  
**HONOURABLE MR. JUSTICE SOUMITRA SAIKIA**

**ORDER**

**20.05.2026**

Heard Mr. MR Sodial, learned counsel for the petitioner. Also heard Mr. R.R Gogoi, learned Standing Counsel, Forest; Mr R.K. Talukdar, learned Standing Counsel, Accountant General and Mr. D Borah, learned Government Advocate for the respondent No. 1.

The learned counsel for the petitioner submits that the name of the present wife of the writ petitioner has not been incorporated as a nominee of the writ petitioner for the purposes of family pension as may be required after the demise of the writ petitioner.

The learned counsel for the petitioner submits that his first wife late Smriti Dutta expired on 31.10.2017 and he submitted the death certificate to that effect from the appropriate authority and the next of kin certificate is also obtained showing the petitioner and his daughter as the next of kin of Late Smriti Dutta, the first wife of the writ petitioner. Subsequently, the petitioner got married. After his superannuation, he is the pension holder and he is receiving his pension. However, inspite of this fact being brought to the notice of the authorities, the name of the present wife of the petitioner has not been incorporated.

Let Mr. R.R. Gogoi, learned Standing Counsel, Forest and Mr. R.K. Talukdar, learned Standing Counsel, Accountant General will obtain the required instructions.

Matter be listed again on 08.06.2026.

Extra copies be furnished to the learned State Counsel and the Departmental Counsel within three working days.

**JUDGE**

**Comparing Assistant**