

GAHC010099682025



undefined

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

**Case No. : WP(C)/2531/2025**

DHIRESH NARAYAN CHOWDHURY  
S/O. LATE GARGA NARAYANCHOWDHURY, AMITABH, 95, DR. BANIKANTA  
KAKATI ROAD, ULUBARI GUWAHATI-7810 07

VERSUS

THE UNION OF INDIA  
THROUGH SECRETARY, MINISTRY OF LAW AND JUSTICE, JAISALMER  
HOUSE, MAN SINGH ROAD, NEW DELHI-110001

2:THE CENTRAL PENSION ACCOUNTING OFFICE  
REPRESENTED BY THE PAY AND ACCOUNTS OFFICER  
TRIKOOT-2 BIKAJI CAMA PLACE  
NEW DELHI-110066

3:THE ASSISTANT GENERAL MANAGER  
CENTRALIZED PENSION PROCESSING CENTRE  
SANJUKTA SQUARE  
SUBHAM GREENS 3RD FLOOR  
NH-37 LOKHRA CHARIALI GUWAHATI-781 040  
ASSAM

4:THE ACCOUNTANT GENERAL (A AND E)  
ASSAM GUWAHATI MAIDAMGAON  
BELTOLA  
GUWAHATI PIN-781 029

5:PAY AND ACCOUNTS OFFICE  
CENTRAL ADMINISTRATIVE TRIBUNAL  
MINISTRY OF PERSONNEL PUBLIC GRIEVANCE AND PENSION  
C-1  
HUTMENTS DALHOUSIE ROAD

NEW DELHI

6:STATE BANK OF INDIA  
SOUTH GUWAHATI BRANCH  
DYNAMO TOWER  
DR. BANIKANTA KAKATI ROAD  
ULUBARI GUWAHATI-781007 THROUGH ITS MANAGER

7:THE REGISTRAR GENERAL  
HONBLE GAUHATI HIGH COURT  
GUWAHATI-781001

8:THE REGISTRAR  
CENTRAL ADMINISTRATIVE TRIBUNAL  
GAUWAHATI BENCH  
RAJGARH ROAD  
GUWAHATI-78100

For petitioner/appellant(s) : Mr. P.K. Goswami, Sr. Advocate

Mr. B.D. Goswami, Advocate

Imsenkala, Advocate

Mr. J.M. Gogoi, Advocate

For respondent(s) : Mr. T.J. Mahanta, Sr. Advocate

Mr. P.P. Dutta, SC, GHC

Mr. B. Chakravarty, CGC

Mr. R. K. Talukdar, SC, AG

– **BEFORE** –

**HON'BLE THE CHIEF JUSTICE MR. VIJAY BISHNOI**

**HON'BLE MR. JUSTICE KARDAK ETE**

**14.05.2025**

*(Vijay Bishnoi, CJ)*

This petition is filed by the petitioner being aggrieved with the letters dated 28.01.2025 and 12.02.2025 issued by the Assistant General Manager, State Bank of India, Guwahati, directing the petitioner to refund an amount of Rs. 57,30,226/- (Rupees fifty seven lakh thirty thousand two hundred and twenty six only) on the ground that the amount has wrongly been paid to him because the same is being

termed by the Pension Department as excess pension payment.

Learned counsel for the petitioner has argued that before directing the petitioner to refund the aforesaid amount, no opportunity of hearing was granted to the petitioner and the respondents, particularly the Pension Department as well as the State Bank of India, have unilaterally adjudicated the said amount of Rs. 57,30,226/- as excess payment.

Learned counsel has further submitted that the services rendered by the petitioner as Judge of Gauhati High Court as well as the Vice Chairman of the Central Administrative Tribunal, Guwahati Bench, are two different and independent engagements for which the petitioner is entitled for separate pensions.

Mr. B. Chakravarty, learned CGC has put in appearance on behalf of respondent No.1; Mr. R. K. Talukdar, learned SC, AG has put in appearance on behalf of respondent No.4 while Mr. T.J. Mahanta, learned Standing Counsel, Gauhati High Court has put in appearance on behalf of respondent No.7.

Let notices be issued to the remaining respondents through registered post with A/D as well as through Dasti mode, returnable by 6 (six) weeks.

Steps for service of notice upon the remaining respondents be taken within a week from today.

It is directed that until final disposal of the writ petition, no recovery shall be effected from the petitioner pursuant to the letters dated 28.01.2025 and 12.02.2025 (Anneuxre-A) of the writ petition.

**JUDGE**

**CHIEF JUSTICE**

**Comparing Assistant**