

GAHC010101612024



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

Case No. : WP(C)/2718/2024

PARISHMITA PATHAK
D/O- LATE KANAK PATHAK, VILL.- KAUREHGI, P.O. JALKHANA, DIST.
NALBARI, ASSAM, PIN- 781371.

VERSUS

THE STATE OF ASSAM AND 5 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT.
OF ASSAM, HOME AND POLITICAL DEPARTMENT, REPRESENTED BY ITS
SECRETARY, DISPUR, GUWAHATI.

2:THE ACCOUNTANT GENERAL (A AND E)
ASSAM
MAIDAMGAON
BELTOLA
GUWAHATI-29.

3:THE DIRECTOR GENERAL OF CIVIL DEFENCE
AND COMMANDANT GENERAL OF HOME GUARDS
ASSAM
BELTOLA
GUWAHATI-28.

4:THE COMMANDANT
1ST ASSAM SPECIAL RESERVE FORCE Bn
BARJAR
NALBARI
ASSAM
PIN- 781335.

5:THE TREASURY OFFICER
NALBARI TRESUARY OFFICE

NALBARI
ASSAM
PIN- 781335.

6:SMTI. DULUMONI PATHAK
W/O- LATE KANAK PATHAK
VILL.- KHALIHAGURI
P.O. TIHU
DIST. NALBARI
ASSAM
PIN- 781371

Advocate for the Petitioner : MR K BHUYAN

Advocate for the Respondent : GA, ASSAM

**BEFORE
HONOURABLE MR. JUSTICE KARDAK ETE**

ORDER

27.05.2024

Heard Mr. K. Bhuyan, learned counsel for the petitioner.

By filing this application, the petitioner has prayed for a direction to grant 50% share of the family pension to the petitioner from the pension of her late father, Kanak Pathak.

Issue notice, returnable by 3 (three) weeks.

Mr. C. S. Hazarika, learned Standing Counsel, has entered appearance and accepts notice on behalf of respondent nos. 1,3,4 and 5;; Mr. S. K. Medhi, learned CGC, Accountant General accepts notice on behalf of respondent no. 2. Since, the respondents are duly represented by their State counsels, no formal

notices are required to be issued. However, requisite extra copies be furnished to the learned counsel for the respondents.

The learned counsel for the petitioner shall take steps for service of notice upon respondent no. 6 by registered post with A/D within 2(two) days.

In the meantime, the petitioner may file a representation before respondent no.

4. The respondents are at liberty to consider the representation that may be filed by the petitioner.

List the matter after 3 (three) weeks.

Registry is directed to reflect the name of the learned Standing Counsel, Finance, in the cause list.

JUDGE

Comparing Assistant