

GAHC010103982025



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

Case No. : WP(C)/3455/2025

SMT D. SHARMILA DAS
W/O- LATE LATUMONI DAS, R/O-VILL- NAKARI, WARD NO.01, P.N. GOGOI
PATH, P.O.- NORTH LAKHIMPUR, DIST- NORTH LAKHIMPUR, PIN-787001
AND PRESENTLY RESIDED AT 14-9 LASHMI VENKATESHWARA NILAYA ST
D MAIN ROAD, B. K. NAGAR, YESWANTHPURA, BANGALORE,
KARNATAKA-560022.

VERSUS

THE STATE OF ASSAM AND 4 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE
GOVERNMENT OF ASSAM, IRRIGATION DEPARTMENT, GUWAHATI-6.

2:THE CHIEF ENGINEER

IRRIGATION DEPARTMENT
CHANDMARI
GUWAHATI- 781003.

3:THE DIRECTOR OF ACCOUNTS AND TREASURIES
KAR BHAWAN
DISPUR
GUWAHATI-06.

4:ACCOUNTANT GENERAL (ANG)
ASSAM
MAIDAMGAON
BELTOLA
GUWAHATI-29.

5:TREASURY OFFICER NEW GUWAHATI BRANCH
NIZARAPARA

KRISHNA NAGAR
CHANDMARI
DIST-KAMRUP(M)
ASSAM
PIN-781004

Advocate for the Petitioner : MR. M J BARUAH, MR. A. ALI

Advocate for the Respondent : SC, IRRIGATION, SC, FINANCE, SC, AG

BEFORE
HONOURABLE MR. JUSTICE SUMAN SHYAM

ORDER

Date : 26-06-2025

Heard Mr. M.J. Baruah, learned counsel for the writ petitioner.

Perused the averments made in the writ petition.

In terms of the order dated 23-06-2025 passed by this Court, Mr. P. Nayak, learned Addl. AG (Finance), Assam has obtained instruction and submits that in view of paragraph 9 of the notification dated 18-06-2018 issued by the Govt. of Assam Pension & Public Grievances Department, the recourse adopted by the Treasury Officer was in accordance with law. Mr. Nayak, however, prays for some time to file a detail affidavit opposing the prayer made in the writ petition.

Issue notice of motion returnable in 04 weeks.

Since Mr. N. Upadhyay, learned standing counsel, Irrigation Department, Assam has accepted notice on behalf of respondent Nos. 1 & 2, Mr. Nayak for respondent Nos. 3 & 5 and Mr. C. Baruah for respondent No. 4, service of notice is complete in this case.

Extra copies of the writ petition, requisite in numbers, be furnished to the learned departmental counsel so as to enable them to obtain instruction.

JUDGE

Comparing Assistant