

GAHC010110882016



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

Case No. : WP(C)/2647/2016

GAJENDRA NATH PATGIRI
S/O- LT. PUPSA PATGIRI, R/O VILL.- BARBANG MAJIUPARA, P.O.-
BARBANG CHOUKHUTI, P.S.- PATACHARKUCHI, DIST.- BARPETA, ASSAM.

VERSUS

THE STATE OF ASSAM AND 8 ORS
REP. BY ITS COMMISSIONER AND SECY. TO THE GOVT. OF ASSAM,
PANCHAYAT AND RURAL DEVELOPMENT DEPTT., ASSAM, DISPUR, GHY-
6.

2:THE ACCOUNTANT GENERAL
ASSAM
BELTOLA
MAIDAMGAON
GHY- 29.

3:THE DIRECTOR OF PANCHAYAT AND RURAL DEPTT.
PANJABARI
JURIPAR
GHY- 37.

4:THE JOINT DIRECTOR OF PANCHAYAT AND RURAL DEPARTMENT
BARPETA
P.O. and DIST.- BARPETA
ASSAM.

5:THE DIRECTO OF PENSION
PANCHAYAT AND RURAL DEPTT.
ASSAM
HOUSEFED COMPLEX
LAST GATE

DISPUR
GHY- 6.

6:THE CHIEF EXECUTIVE OFFICER
BARPETA ZILA PARISHAD
PANCHAYAT AND RURAL DEPTT.
DIST.- BAKSA THE THEN BARPETA
ASSAM.

7:THE BLOCK DEVELOPMENT OFFICER
BAJALI DEVELOPMENT BLOCK
CHOUKHUTI
DIST.- BAKSA THE THEN BARPETA
ASSAM.

8:THE DIRECTOR OF PANCHAYAT AND RURAL DEPTT.
B.T.A.D.
BAKSA
ASSAM.

9:THE TREASURY OFFICER
BARPETA/BAKSA
DIST.- BAKSA THE THEN BARPETA
ASSAM

Advocate for the Petitioner : MR. S HUSSAIN, MR. B ISLAM,MS. R BEGUM

Advocate for the Respondent : SC, BTADC, MR. S K MEDHI (R-2),SC, FINANCE,SC, AG,SC,
PENSION & PUBLIC GRIEVANCES,MR. M. NATH (SC,P&RD)

BEFORE
HONOURABLE MR. JUSTICE KARDAK ETE

ORDER

Date : 29.08.2024

Heard Mr. B. Islam, learned counsel for the petitioner. Also heard Ms. J. Borah, learned counsel appears on behalf of Mr. S. Dutta, learned Standing counsel appears on behalf of the P&RD Department, Mr. K. K. Medhi, learned counsel appears on behalf of Mr. S. K. Medhi, learned counsel for the respondent No.2 as well as Mr. S. Boro, learned counsel appears on behalf of the respondent Nos.7 and 8.

The grievances of the petitioner are that after placing him under suspension, no subsistence allowance was paid to him, nor any departmental proceeding was initiated against the petitioner. In the meantime, the petitioner had retired from service in the month of December, 2015. Therefore, the petitioner claims arrear salary and pensionary benefits.

On perusal of the affidavit-in-opposition filed on behalf of the respondent Authorities, it indicates the suspension and the issuance of show cause notices as well as the sanctioning of subsistence allowances to be paid to the petitioner. However, it does not indicate anything with regard to the proceedings or any other steps that Authorities might have taken.

Having considered above, Ms. J. Borah, learned counsel appearing on behalf of Mr. S. Dutta, learned Standing counsel, P&RD Department, is granted 3(three) weeks time to file additional affidavit reflecting the steps that might have been taken including the initiation of departmental proceedings, payment of subsistence allowances as well as the claim of pensionary benefits.

List this matter on 23.09.2024.

JUDGE

Comparing Assistant