

GAHC010112362026



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

Case No. : WP(C)/2977/2026

KAMALUDDIN AHMED
SON OF LATE SAMSER AHMED, RESIDENT OF NAHARANI MAJ GAON, P.O.
NAHARANI, P.S. DERGAON, DISTRICT- GOLAGHAT, ASSAM. PIN-785618

VERSUS

THE STATE OF ASSAM AND 6 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE
GOVERNMENT OF ASSAM, HOME AND POLITICAL DEPARTMENT, DISPUR,
GUWAHATI 781006

2:THE DIRECTOR GENERAL OF POLICE
ASSAM
ASSAM POLICE HEADQUARTERS
ULUBARI
GUWAHATI-781007

3:THE ASSISTANT INSPECTOR GENERAL OF POLICE (W)
ASSAM POLICE HEADQUARTERS
ULUBARI
GUWAHATI-781007.

4:THE DEPUTY INSPECTOR GENERAL OF POLICE (BATTALION)
ASSAM POLICE HEADQUARTERS
ULUBARI
GUWAHATI-781007.

5:THE COMMANDANT
11TH ASSAM POLICE BATTALION
DERGAON
DISTRICT-GOLAGHAT
ASSAM

PIN-785614.

6:THE ACCOUNTANT GENERAL (A AND E)
ASSAM
MAIDAMGAON
BELTOLA
GUWAHATI-781029

7:THE DIRECTOR OF PENSION

ASSAM
HOUSEFED COMPLEX
DISPUR
GUWAHATI-78100

Advocate for the Petitioner : MR. M DUTTA, D KHERKATARY

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

BEFORE
HONOURABLE MR. JUSTICE SOUMITRA SAIKIA

ORDER

08.06.2026

Heard Mr. M. Dutta learned counsel for the petitioner.

2. The petitioner is aggrieved that his pension has not been finally settled, although he has been given a provisional pension. It is his submissions that departmental proceedings have been closed, whereas the criminal case is still pending and as per his instructions, the matter is still at the stage of investigation and no charge-sheet has yet been filed.

3. Mr. T. C. Chutia, learned Additional Senior Government Advocate on the other hand has placed a copy of the information received to submit that in

connection with the case against the petitioner being Basistha P.S. Case No. 1754/2021, a charge-sheet was filed on 31.12.2024. Therefore, the contention of the petitioner that the matter is still at the stage of investigation is not correct.

- 4.** In that view of the matter, let issue notice, returnable within four weeks.
- 5.** Mr. T. C. Chutia, learned Additional Senior Government Advocate appears on behalf of Respondents No. 1, 2, 3, 4, 5 and 7; Mr. R. K. Talukdar, learned AG appears for Respondents No. 6.
- 6.** Since the respondents are represented, notices are waived.
- 7.** However, extra copies shall be furnished within a period of 1 week from today.
- 8.** Respondents will complete their instructions and file necessary affidavit.
- 9.** The Respondent will also continue to give the provisional pension already being paid to the petitioner.
- 10.** Accordingly, list this matter after the returnable date.

JUDGE

Comparing Assistant