

GAHC010112522026



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

**Case No. : WP(C)/3104/2026**

MOZIBUR RAHMAN MAZARBHUIYA AND 2 ORS  
SON OF ABDUL SAMAD MAZARBHUIYA, RESIDENT OF BHATIRKUPA PART  
III, HAILAKANDI, P.O. BHATIRKUPA, P.S. HAILAKANDI, DISTRICT  
HAILAKANDI, PIN- 788152, ASSAM

2: DANIEL MAZARBHUIYA  
SON OF MOZIBUR RAHMAN MAZARBHUIYA  
RESIDENT OF BHATIRKUPA PART III  
HAILAKANDI  
P.O. HAILAKANDI  
P.S. HAILAKANDI  
DISTRICT HAILAKANDI  
PIN- 788152  
ASSAM

3: NADIA MAZARBHUIYA

DAUGHTER OF MOZIBUR RAHMAN MAZARBHUIYA  
RESIDENT OF BHATIRKUPA PART III  
HAILAKANDI  
P.O. BHATIRKUPA  
P.S. HAILAKANDI  
DISTRICT HAILAKANDI  
PIN- 788152  
ASSA

VERSUS

THE STATE OF ASSAM AND 8 ORS  
REPRESENTED BY THE SECRETARY TO THE GOVERNMENT OF ASSAM,  
DEPARTMENT OF SCHOOL EDUCATION, DISPUR, GUWAHATI-781006,  
KAMRUP (M), ASSAM.

2: THE DIRECTOR OF ELEMENTARY EDUCATION

KAHILIPARA  
PIN- 781019  
ASSAM

3:THE DEPUTY INSPECTOR OF SCHOOLS  
HAILAKANDI  
PIN- 788151  
ASSAM

4:THE DISTRICT ELEMENTARY EDUCATION OFFICER  
HAILAKANDI  
PIN- 788151  
ASSAM

5:THE BLOCK ELEMENTARY EDUCATION OFFICER  
HAILAKANDI  
PIN- 788151  
ASSAM

6:THE MISSION DIRECTOR  
AXOM SARBA SIKSHA ABHIYAN MISSION

KAHILIPARA  
GUWAHATI-781019  
ASSAM.

7:THE DISTRICT MISSION CO-ORDINATOR  
SSA  
HAILAKANDI  
PIN- 788151  
ASSAM

8:THE DIRECTOR OF PENSION  
ASSAM  
HOUSEFED COMPLEX  
BELTOLA  
BANPHOOL NAGAR  
GUWAHATI- 781006  
ASSAM

9:THE PENSION AND PUBLIC GRIEVANCES DEPARTMENT  
DISPUR  
GUWAHATI- 781006  
ASSA

**Advocate for the Petitioner** : MRS. K DEVI, MS. K DAS

**Advocate for the Respondent : GA, ASSAM, SC, SSA,SC, ELEM. EDU**

**BEFORE  
HONOURABLE MR. JUSTICE N. UNNI KRISHNAN NAIR**

**ORDER**

**Date : 12-06-2026**

Heard Ms. K. Devi, learned counsel for the petitioners. Also heard Ms. S. Chutia, learned standing counsel, Elementary Education, Assam, Ms. N. Hazarika, learned counsel appearing on behalf Mr. P. Nayak, learned standing counsel, SSA and Ms. S. Konwar, learned Govt. Advocate, Assam.

The petitioner in the present writ petition has prayed for a direction upon the respondent authorities for release of the pension and pensionary benefits including the NPS accumulated corpus in pursuance to the death of his wife in harness.

Issue notice returnable in 04 weeks.

Since Ms. Chutia has accepted notice on behalf of respondent Nos. 1 to 5, Ms. N. Das for respondent Nos. 6 & 7 and Ms. Konwar for respondent Nos. 8 & 9, service of notice is complete in this case.

However, extra copies of the writ petition, requisite in numbers, be furnished to the learned counsel for the respondents during the course of the day.

Registry to list this matter again after 04 weeks on a date to be fixed by it.

**JUDGE**

**Comparing Assistant**