

GAHC010114832026



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

Case No. : WP(C)/3170/2026

MD KALIMUDDIN KHAN
S/O LATE ABDUL KHAN,RESIDENT OF HOUSE NO. 24, NEAR
MASJID,DARANDHA PART, SIXMILE, KHANAPARA,P.O. KHANAPARA,
DISTRICT- KAMRUP (M),ASSAM, PIN- 781022.

VERSUS

THE STATE OF ASSAM AND OTHERS
REPRESENTED BY THE COMMISSIONER SECRETARY TO THE
GOVERNMENT OF ASSAM, TRANSPORT DEPARTMENT, DISPUR,
GUWAHATI-781006, ASSAM.

2:THE COMMISSIONER OF TRANSPORT
ASSAM

PARIBAHAN BHAWAN
JAWAHAR NAGAR
KHANAPARA
GUWAHATI-781022
ASSAM

3:THE TRANSPORT OFFICER POOL
OFFICE OF THE TRANSPORT OFFICER POOL
KHANAPARA

GUWAHATI-781022
ASSAM.

4:THE ACCOUNTANT GENERAL A E
ASSAM
MAIDAMGAON
BELTOLA

GUWAHATI-781029
ASSAM

Advocate for the Petitioner : MR. H A LASKAR, MS D DUTTA,MR. S B LASKAR

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

BEFORE
HONOURABLE MR. JUSTICE SOUMITRA SAIKIA

ORDER

17.06.2026

Heard Mr. S. B. Laskar learned counsel for the petitioner. Also heard Ms. M. D. Bora, learned Standing Counsel, Transport Department.

The claim of the petitioner is that he was appointed as a Driver under the Transport Department and upon superannuation his retiral benefits has not been released.

Ms. M. D. Bora, learned Standing Counsel, Transport Department referring to Annexure-1 of the writ petition, submits that the petitioner was engaged as a temporary driver and therefore there is no material on record to show that the petitioner was subsequently regularized so as to entitle him to pensionary benefits. Ms. M. D. Bora, learned Standing Counsel further submits that she would like to complete her instructions in this regard.

Although notices are not issued, however, extra copies shall be furnished within a period of 3 (three) working days.

Ms. M. D. Bora, learned Standing Counsel appears for Respondents No. 1, 2 and 3; Ms. Sarma, learned counsel appears for Respondent No. 4.

Accordingly, let this matter be listed on **24.07.2026**.

Pendency of the writ petition shall not be a bar to redress the claims of the writ petitioner regarding arrear salary.

JUDGE

Comparing Assistant