

GAHC010122542020



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

Case No. : Cont.Cas(C)/395/2020

HASNIN SHAMINA SAYYID
W/O- (L) DR. TAUFIQUEDDIN AHMED, R/O- DR. NABIULLA ROAD, P.O., P.S.
AND DIST.- TINSUKIA, ASSAM

VERSUS

SAMIR KUMAR SINHA
PRINCIPAL SECY. TO THE GOVT. OF ASSAM, DEPTT. OF HEALTH AND
FAMILY WELFARE DEPTT., CM BLOCK (3RD FLOOR), ASSAM
SECRETARIAT, DISPUR, GHY-06, ASSAM

2:SHRI ANURAG GOEL
PRINCIPAL SECRETARY
GOVT OF ASSAM
DEPARTMENT OF HEALTH AND FAMILY DEPARTMENT
CM BLOCK(3RD FLOOR)
ASSAM SECRETARIAT

PO DISPUR
KAMRUP(M)-78100

Advocate for the Petitioner : MS P AGARWAL

Advocate for the Respondent : MR B GOGOI

BEFORE
HONOURABLE MR. JUSTICE SUMAN SHYAM

ORDER

15.02.2023

Heard Ms. P. Agarwal, learned counsel for the petitioner. Also heard Mr. A.

Chaliha, learned counsel appearing for the respondents, who has produced a copy of the communication dated 13.02.2023 issued by the Under Secretary to the Government of Assam, Medical Education and Research Department to show that necessary instructions for release of the pension to the petitioner has already been issued.

However, by referring to the direction for production of succession certificate in the aforesaid correspondence, Ms. Agarwal submits that such a direction is wholly uncalled for. Mr. Chaliha has also admitted in his usual fairness that for release of pensionary benefits succession certificate may not have any role to play inasmuch as pensionary benefits are required to be released in favour of the nominee of the deceased Government servant.

Be that as it may, on the request of Mr. Chaliha, this matter is directed to be listed again after 10 days so as to enable him to obtain updated instruction.

JUDGE

Comparing Assistant