

GAHC010127792025



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

Case No. : WP(C)/3434/2025

MISS INAYA MALAKAR
REPRESENTED BY HER MOTHER, DAUGHTER OF LATE BABLU
MALAKAR, RESIDENT OF BELTOLA HARLONGFAR, NADIRPAR, PO AND
PS LUMDING, DISTRICT HOJAI, ASSAM, REPRESENTED BY HER MOTHER,
RESIDENT OF BELTOLA HARLONGFAR, NADIRPAR, PO AND PS LUMDING,
DISTRICT HOJAI

VERSUS

THE UNION OF INDIA
REPRESENTED BY THE SECRETARY OF THE GOVT OF INDIA, MINISTRY
OF RAILWAYS, NEW DELHI 110001

2:THE GENERAL MANAGER
NF RAILWAY
MALIGAON
GUWAHATI 781011

3:THE DIVISIONAL RAILWAY MANAGER
NF RAILWAY
LUMDING
DISTRICT HOJAI
ASSAM
PIN 782447

4:THE DIVISIONAL RAILWAY MANAGER P
NF RAILWAY
LUMDING
DISTRICT HOJAI
ASSAM
PIN 782447

5:THE SENIOR DIVISIONAL MECHANICAL ENGINEER
NF RAILWAY
LUMDING
DISTRICT HOJAI
ASSAM
PIN 78244

Advocate for the Petitioner : MR. H ISLAM, MRS. B S CHOWDHURY,MS T DEBNATH,MR B SINHA

Advocate for the Respondent : DY.S.G.I.,

**BEFORE
HONOURABLE MR. JUSTICE SUMAN SHYAM**

ORDER

Date : 20-06-2025

Heard Mr. B. Sinha, learned counsel for the writ petitioner.

The writ petitioner herein is a minor represented by her mother and her natural guardian. The father of the petitioner died on 26-03-2025, leaving behind the petitioner as his only legal heir. Before his demise, the marriage between the deceased employee and his wife, *i.e.* the mother of the writ petitioner got dissolved by a decree of divorce. Under the relevant rules, the petitioner claims to be entitled to family pension. However, owing to the fact that she is being represented by her divorcee mother, the authorities are refusing to process her application. Hence, this writ petition.

Mr. H. Gupta, learned CGC prays for 03 weeks time to obtain instruction facilitating expeditious disposal of the writ petition.

Prayer is allowed.

Issue notice of motion returnable on 16-07-2025.

Since Mr. Gupta has accepted notice on behalf of all the respondents, no formal notice is required to be sent in this case.

Extra copies of the writ petition, requisite in numbers, be furnished to the learned departmental counsel so as to enable him to obtain instruction.

Pendency of this writ petition shall not constitute a bar for the respondent authorities to redress the grievance of the petitioner in accordance with law, if so advised.

JUDGE

Comparing Assistant