

GAHC010134672023



2026:GAU-AS:3151

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

Case No. : WP(C)/3584/2023

CHATIBALA RABHA
W/O- LATE JOGENDRA CHANDRA RABHA,
VILLAGE- GURIA KACHARIPARA,
P.O.- KRISHNAI,
DIST- GOALPARA, ASSAM- 783126.

VERSUS

THE UNION OF INDIA AND 3 ORS
REPRESENTED BY THE SECRETARY TO GOVT. OF INDIA,
DEPARTMENT OF HOME AFFAIRS,
NEW DELHI-110001.

2:THE ADDITIONAL DIRECTORATE GENERAL (PERSONNEL AND
SERVICES)
(ADG PS(PS-5))
AGS BRANCH
IHQ OF MOD (ARMY)

419
A WING
SENA BHAWAN

DHQ PO
NEW DELHI-110011.

3:THE COMMANDANT
EASTERN FRONTIER RIFLES
SALUA

WEST MEDNIPUR
WEST BENGAL- 721145.

4:THE CHIEF MANAGER
CENTRALISED PENSION PROCESSING CENTRE
STATE BANK OF INDIA
NORTHEASTERN CIRCLE
SHUBHAM GREENS

LOKHRA CHAIRALI
NH-37

GUWAHATI- 781040

Advocate for the Petitioner : MD S HOQUE, MS N.KAZI,MR. F A FAROOQUE,MR. M DEKA

Advocate for the Respondent : DY.S.G.I., MISS. R. DAS (r-4),MS S DEY (r-4),MR. K K NANDI (r-4),MR. U K GOSWAMI (R-1)

BEFORE
HON'BLE MR. JUSTICE N. UNNI KRISHNAN NAIR
ORDER

27/02/2026

Heard Mr. S Hoque, learned counsel for the petitioner and Mr. K K Nandi, learned counsel for the respondent No. 4.

2. The petitioner by way of instituting the present writ petition has prayed for a direction upon the respondent authorities for authorization to her family pension including arrears, thereof, w.e.f. 20.08.2014 in pursuance to the death of her husband, late Jogendra Ch. Rabha.

3. The petitioner in the present writ petition has projected that her husband, Jogendra

Ch. Rabha, was initially appointed as a Sepoy in the Eastern Frontier Rifle, West Bengal in the year 1951 and had retired from his services on 17.08.1963, while serving as Naik in the said force. It is also projected that the husband of the petitioner was authorized a pension on his superannuation from service. The husband of the petitioner passed on, on 19.08.2014. Accordingly, the petitioner approached the pension disbursing bank, i.e., the State Bank of India, for authorizing to her family pension in pursuance to the death of her husband. The said family pension not being authorized in the name of the petitioner, the present writ petition came to be instituted.

4. At the outset, this Court had queried the learned counsel for the respondents as to whether this Court would have jurisdiction to entertain the writ petition, inasmuch as, the husband of the petitioner was found to be an employee of the Government of West Bengal, being a Naik in the Eastern Frontier Rifle, West Bengal, which is a force created by the Government of West Bengal. However, to explore as to whether the reliefs claimed by the petitioner can be granted by the pension disbursing bank, this Court had required the learned Standing counsel of the Bank to receive instructions.

5. On instruction, Mr. K K Nandi, learned counsel for the respondent No. 4 Bank, has submitted that the name of the petitioner not being incorporated in the Pension Payment Order issued to her husband, it was not permissible for the bank authorities to authorize family pension in the name of the petitioner. He submits that the petitioner is to approach the employer of her husband for incorporation of her name in the Pension Payment Order as an heir of Late Jogendra Ch. Rabha.

6. The Eastern Frontier Rifles, West Bengal, being placed beyond the territorial jurisdiction of this High Court, this Court is not in a position to issue any direction upon the authorities of the said force for incorporation of the name of the petitioner, herein, in the Pension Payment Order issued to Late Jogendra Ch. Rabha.

7. In view of the above position, the present writ petition is held to be not maintainable and accordingly, the same stands dismissed. However, the petitioner is granted liberty to approach the appropriate forum for redressal of her grievances.

8. With the above observations and directions, the present writ petition stands dismissed.

JUDGE

Comparing Assistant