

GAHC010136902026



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

Case No. : WP(C)/3683/2026

DIBYA JYOTI NATH
S/O- DHANESWAR NATH, R/O- SANKARDEV, P.O. KADAMONI, DIST.
DIBRUGARH, ASSAM, PIN- 786001.

VERSUS

THE PRINCIPAL SECRETARY TO THE GOVT. OF ASSAM AND 4 ORS
FINANCE DEPARTMENT, DISPUR, GUWAHATI- 781006.

2:THE DIRECTOR
ACCOUNTS AND TREASURIES
ASSAM KAR BHAWAN
DISPUR
GUWAHATI- 781006.

3:THE ACCOUNTANT GENERAL (A AND E)
ASSAM
BELTOLA
MAIDAMGAON
GUWAHATI- 781029.

4:THE DISTRICT COMMISSIONER
DIBRUGARH DISTRICT
P.O. AND DISTRICT- DIBRUGARH
ASSAM

5:THE TREASURY OFFICER
DIBRUGARH
D.C. OFFICE CAMPUS DIBRUGARH
PIN- 786003

Advocate for the Petitioner : MR M AHMED, N. CHOUDHURY

Advocate for the Respondent : GA, ASSAM, SC, FINANCE,SC, AG

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

ORDER

Date : 17.07.2026

Heard Mr. M. Ahmed, learned counsel, appearing for the petitioner. Also heard Mr. R. Borpujari, learned Standing Counsel, Finance Department; Mr. S. K. Medhi, learned Standing Counsel, Accountant General (A&E), Assam; and Mr. A. Chakrabarty, learned Government Advocate.

2. The petitioner in the present writ petition is aggrieved by an order dated 16.06.2026, by which while re-fixing the initial pay drawn by the petitioner as a Junior Assistant in Dibrugarh Treasury, a direction has been issued for refund of an excess drawal amount of Rs.1,86,825/- (Rupees One Lakh Eighty Six Thousand Eight Hundred Twenty Five). The petitioner contends that he is in no manner responsible for the initial fixation of pay, which is now been re-fixed vide the order dated 15.06.2026.

3. Issue notice returnable by 04 (four) weeks.

4. Mr. R. Borpujari, learned Standing Counsel, Finance Department, accepts notice on behalf of the respondent nos.1, 2 and 5; Mr. S. K. Medhi, learned Standing Counsel, Accountant General (A&E), Assam, accepts notice on behalf of respondent no.3; and Mr. A. Chakrabarty, learned Government Advocate, accepts notice on

behalf of respondent no.4.

5. Considering the issue raised in the present writ petition, it is provided that till the next returnable, the order dated 16.06.2026, to the extent, that it relates to effecting of recovery of excess drawal amount from the salary of the petitioner, shall remain suspended. _

JUDGE

Comparing Assistant