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

Case No. : WP(C)/3576/2024

JUTILA MEDHI
W/O- LATE JOYCHARAN MEDHI, R/O- VILL. MAJKUCHI, P.O. PATBAUSHI,
DISTRICT- BARPETA, ASSAM, PIN- 781314

VERSUS

THE STATE OF ASSAM AND 4 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT.
OF ASSAM, HEALTH AND FAMILY WELFARE DEPARTMENT, DISPUR,
GUWAHATI- 781006

2:THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM
HEALTH AND FAMILY WELFARE DEPARTMENT
DISPUR
GUWAHATI- 781006

3:THE DIRECTOR
HEALTH AND FAMILY WELFARE
HENDERABARI
GUWAHATI- 781036

4:THE PRINCIPAL ACCOUNTANT GENERAL (A AND E)
ASSAM
MAIDAMGAON
GUWAHATI- 781029
DIST- KAMRUP (M)
ASSAM

5:SMT. BHANU DAS
W/O- LATE SATYAJIT MEDHI
C/O- LATE MADHAB DAS
R/O- BARPETA

ISSAPUR HATI WARD NO. 21
P.O. AND P.S. BARPETA
DIST.- BARPETA
ASSAM
PIN- 781321

6:THE DIRECTOR ACCOUNTS AND TREASURIES GOVT. OF ASSAM
KALAGURU BISHNU RABHA FLYOVER
DISPUR
GANESHGURI
GHY-78100

Advocate for the Petitioner : MR. N K KALITA, MR D DEKA

Advocate for the Respondent : SC, AG, MR. C BORUAH, MS. D PATHAK(R-5), MR. R DE (R-5), SC, HEALTH AND F W

BEFORE
HONOURABLE MR. JUSTICE N. UNNI KRISHNAN NAIR

ORDER

Date : 08.09.2026

Heard Mr. N.K. Kalita, learned counsel, appearing for the petitioner.

Also heard Ms. S. Sarma, learned Standing Counsel, Health & Family Welfare Department; Mr. C. Baruah, learned Standing Counsel, Accountant General (A&E), Assam; and Ms. D. Pathak, learned counsel appearing for the respondent no.5;

2. The petitioner in the present writ petition has prayed for a proportionate share of the family pension authorized to the respondent no.5, in respect of the services rendered by her deceased son Satyajit Medhi.

3. At the outset, Ms. D. Pathak, learned counsel appearing for the

respondent no.5, has submitted that during the pendency of the present writ petition, respondent no.5, had passed on, on 09.06.2026.

4. As projected in the writ petition, the petitioner is the mother of late Satyajit Medhi. Late Satyajit Medhi, was appointed as a Multi Purpose Worker (MPW), under the Directorate of Health Services, Assam, on 19.05.2011. The son of the petitioner had thereafter, married the respondent no.5, in the month of April, 2022. However, on account of certain ailments suffered by him, the son of the petitioner passed on, on 27.01.2024, at the age of 51 years, leaving behind the petitioner and the respondent no.5, as his legal heirs. The respondent authorities had thereafter, processed the family pension proposal in respect of the services rendered by Late Satyajit Medhi, and the family pension was authorized in the name of the respondent no.5. However, as noticed, hereinabove, during the pendency of the present writ petition, respondent no.5, had also passed on, on 09.06.2026. Accordingly, as on date, it is the petitioner who is the only legal heir of late Satyajit Medhi.

5. I have heard the learned counsel for the parties.

6. Ms. S. Sarma, learned Standing Counsel, Health & Family Welfare Department, on instructions, has submitted that the Departmental authorities, are now agreeable to submit a proposal for authorization of

family pension in favour of the respondent no.5. She further submits that the Department may be granted a period of 01 (one) month for preparation of the proposal and submission of the same before the Director of Accounts and Treasury, Assam, for disbursal.

7. In view of the above submissions and it being found that the petitioner is the only legal heir of late Satyajit Medhi, this Court is of the considered view that the present writ petition need not be detained any further for consideration and can be disposed of by directing the Director of Health Services i.e. the respondent no.3, to prepare a family pension proposal in favour of the petitioner, herein, maintaining parity with the pension authorized to the respondent no.5, and submit the same to the Director of Accounts and Treasury, Assam, within a period of 30 (thirty) days from the date of receipt of a certified copy of this order.

8. The petitioner, herein, would now be entitled to receive family pension, w.e.f., 09.06.2026. The Director of Accounts and Treasury, Assam, on receipt of such proposal from the Director of Health Services, Assam, in respect of authorization of family pension to the petitioner, herein, shall process the same and disburse the family pension to the petitioner, expeditiously, not later than a period of 01 (one) month, from the date of receipt of such proposal from the Director of Health Services, Assam.

9. With the above observations and directions, the present writ petition stands disposed of.

JUDGE

Comparing Assistant