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

Case No. : WP(C)/3628/2024

PUSHPENDU CHAKRABARTY
S/O- LATE PROMODE RANJAN CHAKRABORTY, R/O- 1ST LINK ROAD,
LANE, 10, HOUSE NO.5, BRAJA BHAWAN, SILCHAR, CACHAR, ASSAM, PIN-
788006

VERSUS

THE STATE OF ASSAM AND 8 ORS
REPRESENTED BY THE SECRETARY, TO THE GOVT. OF ASSAM,
DEPARTMENT OF SCHOOL EDUCATION, DISPUR, GUWAHATI, ASSAM, PIN-
781006

2:THE DIRECTOR OF ELEMENTARY EDUCATION
ASSAM
KAHILIPARA
GUWAHATI
ASSAM
PIN- 781019

3:THE DISTRICT COMMISSIONER
CACHAR
SILCHAR
ASSAM
PIN- 788001

4:THE DISTRICT ELEMENTARY EDUCATION OFFICER
CACHAR
SILCHAR
ASSAM
PIN- 788003

5:THE DEPUTY INSPECTOR OF SCHOOLS

SILCHAR
CACHAR
ASSAM

6:THE BLOCK ELEMENTARY EDUCATION OFFICER
NARSINGPUR
DIST. CACHAR
ASSAM

7:THE ACCOUNTANT GENERAL
ASSAM
(A AND E)
ASSAM MAIDAMGAON
BELTOLA
GUWAHATI
ASSAM
PIN- 781029

8:THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM
DEPARTMENT OF FINANCE
DISPUR
GUWAHATI
ASSAM
PIN- 781006

9:THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM
ADMINISTRATIVE REFORMS AND TRAINING
PENSION AND PUBLIC GRIEVANCE DEPARTMENT DISPUR
GUWAHATI
ASSAM
PIN- 78100

Advocate for the Petitioner : MR. B PURKAYASTHA, J.P. BARUAH

Advocate for the Respondent : GA, ASSAM, SC, AG (A AND E),SC, ELEM. EDU,SC, FINANCE

BEFORE
HONOURABLE MR. JUSTICE ROBIN PHUKAN

ORDER

Date : 24.11.2025

Heard Mr. B. Purkayastha, learned counsel for the petitioner. Also heard Mr. A. Phukan, learned standing counsel for the respondent Nos. 1, 2, 4, 5 and 6;

Ms. K. Phukan, learned Government Advocate for the respondent Nos. 3 and 9; Mr. B. Sharma, learned standing counsel for the respondent No. 7; and Mr. A. Chaliha, learned standing counsel for the respondent No. 8.

During the course of deliberation, Mr. Purkayastha, learned counsel for the petitioner has produced the pay slip issued to the petitioner dated 16.06.2025, and another pay slip issued on 30.01.2013, and on the basis of the said pay slips, he submits that on 01.07.2010, the basic pay of the petitioner was fixed at Rs. 20,730/-, but while fixing the same in the pay slip issued on 16.06.2025, w.e.f. 01.01.2011, the basic pay of the petitioner was fixed at Rs. 20,730/-, and as such, no financial benefit has been extended to the petitioner as per the ACPS.

Mr. Phukan, learned standing counsel for the respondent Nos. 1, 2, 4, 5 and 6 has also produced one letter of the Deputy Secretary to the Government of Assam, Department of School Education addressed to the Accountant General, Assam and submits that the said anomaly has already been pointed out by the Department of School Education to the Accountant General, but no remedial measure has been initiated by the respondent Accountant General, Assam.

Mr. Sharma, learned standing counsel for the respondent No. 7 submits that he may be provided with the documents furnished by Mr. Purkayastha and Mr. Phukan, so that he can obtain necessary instruction from the respondent No. 7.

Prayer is allowed.

Mr. Purkayastha and Mr. Phukan shall furnish the documents that they have produced before this Court today, to Mr. Sharma so as to enable him to obtain necessary instruction.

List the matter on 08.12.2025.

JUDGE

Comparing Assistant