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

Case No. : WP(C)/4211/2024

KUNJA HAZARIKA
W/O- LATE BHOLA HAZARIKA @ BHULA HAZARIKA @ BHOLA NATH
HAZARIKA, R/O- VILL- SARUCHARAI GHARPHALIA, P.S.- JORHAT, PO-
DHEKORGORAH, DIST- JORHAT (ASSAM), PIN- 785015

VERSUS

THE STATE OF ASSAM AND 6 ORS
REPRESENTED BY THE PRINCIPAL SECRETARY TO THE GOVT. OF ASSAM,
PANCHAYAT AND RURAL DEVELOPMENT DEPARTMENT, DISPUR,
GUWAHATI-6

2:THE COMMISSIONER SECRETARY TO THE GOVERNMENT OF ASSAM
PENSION AND PUBLIC GRIEVANCE DEPARTMENT
DISPUR
GUWAHATI-6

3:THE PRINCIPAL SECRETARY TO THE GOVT. OF ASSAM
FINANCE DEPARTMENT
DISPUR
GUWAHATI-6

4:THE COMMISSIONER
PANCHAYAT AND RURAL DEVELOPMENT DEPARTMENT
PANJABARI
JURIPAR
GUWAHATI-37

5:THE DIRECTOR OF PENSION
ASSAM
HOUSEFED COMPLEX
GUWAHATI-6

6:THE CHIEF EXECUTIVE OFFICER
JORHAT ZILLA PARISHAD
JORHAT
DIST.- JORHAT (ASSAM)
PIN- 785001

7:THE TREASURY OFFICER
JORHAT TREASURY
JORHAT
DIST- JORHAT
ASSAM
PIN- 78500

Advocate for the Petitioner : MR. K R PATGIRI, MS. D. DEVI,MS K BARMAN,MS
CHITRALEKHA DAS

Advocate for the Respondent : SC, P AND R.D., SC, FINANCE DEPTT.,GA, ASSAM

BEFORE
HONOURABLE MR. JUSTICE ARUN DEV CHOUDHURY

ORDER

Date : 20.03.2026

1. It is contended that the husband of the petitioner had retired as Office Assistant of Rajahowli Gaon Panchayat, under Jorhat Zilla Parishad on 30.04.1994, whereafter, as per the Assam Panchayat Employees (Provincialisation) Act, 1999, provincialisation benefits were granted with effect from 01.10.1991.
2. According to the petitioner, for want of minimum numbers of years of regularized service, the pensionary benefits as well as family pension after the death of the said employee has not been granted.
3. Mr. K.R. Patgiri, learned counsel for the petitioner

submits that this case is covered by the determination made in ***State of Assam Vs. Syed Md. Fazlary Rabbi*** in ***WA 145/2009*** and subsequent judgment of the Division Bench in ***State of Assam Vs. Nur Hussain Mollah B*** in ***WA 133/2023***.

4. Mr. A.K. Ghosh, learned counsel appearing on behalf of Mr. S. Dutta, learned standing counsel, PNRD prays for ten days time to complete his instructions.
5. List this matter again on 02.04.2026.

JUDGE

Comparing Assistant