

GAHC010171702021



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

Case No. : WP(C)/7145/2022

LAKHIRAM BORA AND ANR
S/O. SRI BHULA RAM BORA, VILL. HEMARBARI, P.O. JAJARI, DIST.
NAGAON, ASSAM, PIN-782142.

2: KHANINIDRA PHUKAN
VILL. LAOKHAWA ROAD
PRAFULLA SAIKIA PATH
P.O. HAIBARGAON
DIST. NAGAON
ASSAM
PIN-782003

VERSUS

THE STATE OF ASSAM AND 2 ORS
REP. BY THE REGISTRAR OF CO-OPERATIVE SOCIETIES, KHANAPARA,
GUWAHATI-22, ASSAM.

2: THE ASSAM STATE COOPERATIVE UNION
REP. BY THE CHAIRMAN
ASSAM STATE COOPERATIVE UNION DR. B. BARUAH ROAD
GUWAHATI-07
ASSAM.

3: THE CHIEF EXECUTIVE OFFICER
ASSAM
STATE CO-OPERATIVE UNION. DR. B. BARUAH ROAD
GUWAHATI-07
ASSAM

Advocate for the Petitioner : DR. B N GOGOI

Advocate for the Respondent : SC, CO OP

**BEFORE
HONOURABLE MR. JUSTICE ACHINTYA MALLA BUJOR BARUA**

O R D E R

11.11.2022

Heard Dr. BN Gogoi, learned counsel for the petitioners and Mr. G Bordoloi, learned counsel for the respondents in the Cooperation Department, Government of Assam.

Issue notice returnable on 17.11.2022.

Extra copies of the writ petition be furnished to the learned counsel within three days.

By this writ petition, the petitioners, who are the retired employees of the Assam State Co-operative Union is before the Court with a grievance that the gratuity and leave encashment salary which they are entitled have not been paid. It is also stated that the required fund for the payment of the said entitlement had been provided by the Government of Assam in the Co-operation Department to the Assam State Co-operative Union as per the communication dated 25.04.2018 of the Additional Registrar of Co-operative Societies, Assam to the Executive Officer, Assam State Co-operative Union.

If the amount had been paid by the Government of Assam to the respondent Co-operative Society, an explanation is required from the society as to why they are not releasing the retirement benefits to the retired employees.

The Chief Executive Officer of Assam State Co-operative Union shall remain personally present before the Court on 17.11.2022 to provide the information as to why the retirement benefits had not been released to the retired employees

in spite of the appropriate fund being provided by the Government of Assam.

Mr. G Bordoloi, learned counsel for the Registrar to inform the Chief Executive officer of the respondent Co-operative society about the retirement of this order.

List the matter again on 17.11.2022.

JUDGE

Comparing Assistant