

GAHC010185972019



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

Case No. : WP(C)/5867/2019

NAYEBUR RAHMAN
S/O- MD. NAZIR ALI, R/O. VILL- GERGERIA, P.S. PATACHARKUCHI, DIST.
BARPETA (ASSAM).

VERSUS

STATE OF ASSAM AND 5 ORS.
REP. BY THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM,
EDUCATION (ELEMENTARY) DEPTT., ,DISPUR, GHY.

2:THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM
FINANCE DEPTT.
DISPUR
GHY.

3:THE DIRECTOR OF ELEMENTARY EDUCATION
ASSAM
KAHILIPARA
GHY-19.

4:THE BODOLAND TERRITORIAL COUNCIL
THROUGH ITS SECRETARY
KOKRAJHAR
ASSAM.

5:THE DIRECTOR OF EDUCATION
THE BODOLAND TERRITORIAL COUNCIL
KOKRAJHAR
ASSAM.

6:THE DISTRICT ELEMENTARY EDUCATION OFFICER
BAKSA

ASSAM.

7:COMMISSIONER AND SECRETARY
WELFARE OF PLAIN TRIBES AND BACKWARD CLASSES DEPARTMENT
GOVERNMENT OF ASSAM
DISPUR
GUWAHAT

Advocate for the Petitioner : MS. P BHUYAN, MR. S DUTTA,MR R K DUTTA

Advocate for the Respondent : SC, EDU, SC, WPT AND BC,SC, FINANCE,SC, BTC

BEFORE
HONOURABLE MR. JUSTICE N. UNNI KRISHNAN NAIR

ORDER

Date :24.04.2026

Heard Mr. S Dutta, Learned Counsel for the Petitioner. Ms. N Choudhury, Learned Standing Counsel, BTC, has also made her submission.

Ms. N Choudhury, Learned Standing Counsel, BTC, shall, on the next date of listing, apprise this Court as to how the period w.e.f 01.12.2008 till 08.02.2018, that is the period, the petitioner had to remain out of service, on account of his services being terminated vide issuance of an order dated 01.12.2008, was regularized by the BTC authorities.

The petitioner having retired from his services w.e.f 30.06.2018, on reaching the age of superannuation, Ms. N Choudhury, Learned Standing Counsel, BTC, shall also receive instructions as to why, for the last 8 years, the pension proposal, in respect of the petitioner, was not finalized and submitted to the Director of Pension, Assam, for disbursement.

Registry to list this matter again on 07.05.2026 for further hearing.

JUDGE

Comparing Assistant