

GAHC010189082024



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

Case No. : WP(C)/4706/2024

FAIZUL ISLAM BHUYAN
S/O- LATE KASHEM ALI BHUYAN, VILL.- N.S. ROAD, WARD NO. 7, DHUBRI
TOWN P.O. AND DIST. DHUBRI, ASSAM

VERSUS

THE STATE OF ASSAM AND 7 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT.
OF ASSAM, HOME AND POLITICAL DEPARTMENT, DISPUR, GUWAHATI-6.

2:THE DIRECTOR OF CHAR AREAS DEVELOPMENT
ASSAM
DISPUR
GUWAHATI-6.

3:THE DIRECTORATE OF CHAR AREAS DEVELOPMENT
ASSAM
REPRESENTED BY ITS DIRECTOR
DISPUR
GUWAHATI-6.

4:THE TECHNICAL DIRECTOR OF THE DIRECTORATE OF CHAR AREAS
DEVELOPMENT
ASSAM
KAHILIPARA ROAD
GUWAHATI-6.

5:THE PROJECT OFFICER
NAYERALGA CHAR DEVELOPMENT PROJECT
BILASIPARA
P.O. BILASIPARA
DIST. DHUBRI

ASSAM
PIN- 783348.

6:THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM
FINANCE DEPARTMENT
DISPUR
GUWAHATI-6.

7:THE MINORITIES WELFARE AND DEVELOPMENT DEPARTMENT
(ADMINISTRATIVE DEPTT.)
GOVT. OF INDIA
ASSAM
DISPUR
GUWAHATI-6.

8:THE TREASURY OFFICER
BILASIPARA SUB-TREASURY
PO. BILASIPARA
DIST. DHUBRI
PIN- 783348

Advocate for the Petitioner : MR. M A SHEIKH, S S AHMED

Advocate for the Respondent : GA, ASSAM, SC, FINANCE

**BEFORE
HONOURABLE MR. JUSTICE SUMAN SHYAM**

ORDER

Date : 16-09-2024

Heard Mr. M.A. Sheikh, learned counsel for the writ petitioner.

The issue raised in this writ petition is pertaining to the question as to "whether, the writ petitioner would be entitled to the benefit of Old Pension Scheme (OPS) or will be covered by the New Pension Scheme (NPS)?"

Mr. J.K. Goswami, learned Addl. Sr. Govt. Advocate, Assam and Mr. A. Chaliha, learned standing counsel, Finance both have prayed for some time to obtain instruction in the matter.

Issue notice of motion returnable in 08 weeks.

Since Mr. Goswami has accepted notice on behalf of respondent Nos. 1 and 7 and Mr. Chaliha has accepted notice on behalf of respondent Nos. 6 and 8, no formal notice is required to be sent to the said respondents.

Extra copies of the writ petition, requisite in numbers, be furnished to the learned departmental counsel so as to enable them to obtain instruction and file affidavit.

Petitioner to take steps for service of notice upon the remaining respondents by registered post with A/D.

Steps within a week from today.

JUDGE

GS

Comparing Assistant