

GAHC010192302025



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

Case No. : WP(C)/5177/2025

ILAU BASUMATARY
W/O- LATE HARESWAR BASUMATARY, R/O- VILL.- CHAPANGAON, P.O.
BANDARGURI, DIST. UDALGURI, ASSAM, PIN- 784509.

VERSUS

THE STATE OF ASSAM AND 7 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT.
OF ASSAM, IRRIGATION DEPARTMENT, DISPUR, GUWAHATI-06.

2:THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM
PENSION AND PUBLIC GRIEVANCES DEPARTMENT
DISPUR
GUWAHATI-6.

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

4:THE CHIEF ENGINEER
IRRIGATION DEPARTMENT
2ND
BLOCK-B
KRISHNA NAGAR
CHANDMARI
GUWAHATI-03.

5:THE ACCOUNTANT GENERAL (A AND E)
ASSAM
MAIDAMGAON

BELTOLA
GUWAHATI-29.

6:THE BODOLAND TERRITORIAL COUNCIL
REPRESENTED BY THE SECRETARY
IRRIGATION DEPARTMENT
BODOFA NAGAR
KOKRAJHAR
DIST. KOKRAJHAR
BTAD
ASSAM
PIN- 783380.

7:THE EXECUTIVE ENGINEER
IRRIGATION PANERI KOLAIGAON DIVISION
IRRIGATION TANGLA
DIST. UDALGURI
BTAD
ASSAM
PIN- 784521.

8:THE TREASURY OFFICER
UDALGURI TREASURY
DIST. UDALGURI
ASSAM
PIN- 784509

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

Advocate for the Respondent : GA, ASSAM, SC, BTC,SC, AG,SC, FINANCE,SC, IRRIGATION

BEFORE
HONOURABLE MR. JUSTICE N. UNNI KRISHNAN NAIR

ORDER

Date : 27-02-2026

It is seen that the husband of the petitioner had died in harness on 07-09-2008.

Thereafter, this Court does not find the petitioner to have approached the respondent authorities for authorizing to her family pension. A writ petition was filed in the matter being W.P.(C) No. 6685/2023, which was permitted to be withdrawn by this Court vide

order dated 28-11-2024. However, liberty was granted to the petitioner to approach the respondent authorities for redressal of her grievances. It is only in pursuance to the said order that the petitioner has approached the respondent authorities on 08-03-2025 praying for grant of family pension.

Liberty is granted to the authorities of the Irrigation Department, if so warranted to carryout an enquiry to ascertain as to whether the petitioner is the actual legal heir of the deceased employee.

List after 06 weeks.

JUDGE

Comparing Assistant