

GAHC010192382021



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

Case No. : WP(C)/6698/2021

JAJNA RAM DEKA @ JAGYA RAM DEKA
S/O- LATE GIRI DHAR DEKA, R/O VILLAGE -KHUDRADIMU, PO-
KHUDRADIMU, PS- RANGIA, DIST-KAMRUP(R), ASSAM

VERSUS

THE STATE OF ASSAM AND 6 ORS
REP. BY THE CHIEF SECRETARY TO THE GOVT. OF ASSAM, DISPUR, GHY-6

2:STATE OF ASSAM
REP. BY THE COMMISSIONER AND SECY. TO THE GOVT. OF ASSAM
REVENUE DEPARTMENT
ASSAM
DISPUR
GHY-6

3:THE DEPUTY COMMISSIONER
KAMRUP
METRO
GUWAHATI

4:THE DIRECTOR
LAND RECORDS AND SURVEYS ETC.
ASSAM
RUPNAGAR
GUWAHATI.

5:THE COMM. AND SECY. TO THE GOVT. OF ASSAM
FINANCE DEPARTMENT
ASSAM
DISPUR
GHY-6

6:THE COMM. AND SECY. TO THE GOVT. OF ASSAM
DEPARTMENT OF PENSION AND PUBLIC GRIEVANCES
DISPUR
GHY-6

7:THE ACCOUNTANT GENERAL
MAIDAMGAON
BELTOLA
GUWAHATI
ASSA

Advocate for the Petitioner : MR S P DAS, MR A ALAM,MR P KATAKI

Advocate for the Respondent : GA, ASSAM, SC, FINANCE DEPTT.,SC, AG,SC, REVENUE

BEFORE
HONOURABLE MR. JUSTICE SOUMITRA SAIKIA

ORDER

21.07.2025

Heard Mr. S.P. Das, learned counsel for the petitioner. Also heard Mr. C. Baruah, learned Standing Counsel for the Accountant General and Ms. M. Bhattacharjee, learned Addl. Senior Government Advocate for the State respondents.

The grievance of the petitioner is that his pension paper has not been processed inspite of his superannuation from service as Lot Mondal from the Office of the Deputy Commissioner, Kamrup (Metro).

It is submitted that the pension papers were forwarded to the Accountant General's Office. However, it was returned back to the office of the Deputy Commissioner, Kamrup (Metro) on the ground that the period of service from 15.12.1982 to 15.07.1999 was not found updated till the date of service of the writ petitioner. This information is also evident from the communication dated

04.11.2015 addressed by the Additional Deputy Commissioner, Kamrup Metropolitan District to the Addl. Director of Land Records & Surveys etc, Assam, Rupnagar, Guwahati. According to the learned Standing Counsel, Accountant General this information has not been furnished to the Department of Accountant General along with the proposal and as a consequence thereof the pension papers could not be processed.

The Office of the Deputy Commissioner, Kamrup (Metro) has also filed an affidavit, where in Para No. 7 there is an averment that the petitioner was promoted to the vacant post of Additional Supervisory Kanungo and that the Government had created the post of Additional Supervisory Kanungo only for the purposes of re-settlement operation.

However, the learned Government Advocate is unable to appraise the Court whether this information has been forwarded accompanied with other relevant documents with the pension proposal to the Office of the Accountant General for release of pension to the petitioner.

The affidavit also does not contain any order of promotion/appointment of the petitioner in the post of Additional Supervisory Kanungo during the process of re-settlement operation and his subsequent appointment/reversion to the Post of Lat Mondal upon completion of re-settlement operation.

Let these instructions along with relevant office orders be placed before the Court by the Office of the Deputy Commissioner, Kamrup (Metro) on the next date fixed.

Matter be listed again on 27.08.2025.

JUDGE

Comparing Assistant