

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
HON'BLE MR. JUSTICE N. UNNI KRISHNAN NAIR
ORDER

19/12/2025

Heard Mr. S P Das, learned counsel for the petitioner. Also heard Ms. M Bhattacharjee, learned Additional Senior Government Advocate and Mr. R Boro, learned Standing counsel, Accountant General (A&E), Assam.

2. In terms of the order dated 24.11.2025, Ms. M Bhattacharjee, learned Additional Senior Government Advocate as well as Mr. R Boro, learned Standing counsel, Accountant General (A&E), Assam have submitted that the pension proposal of the petitioner is being processed and the same would be submitted to the office of the Accountant General at the earliest.

3. Mr. R Boro, learned Standing counsel, Accountant General (A&E), Assam has submitted that the proposal on being received by the office of the Accountant General (A&E) complete in all respect, the same would also be expeditiously processed.

4. Ms. M Bhattacharjee, learned Additional Senior Government Advocate has submitted

that the proposal was not being processed only on the ground that the petitioner was insisting for some service benefits, which he was not entitled to. The respondent authorities while preparing a pension proposal is required to prepare the pension proposal by taking into consideration the service particulars of the Government employee and service benefits that a Government employee is not entitled to, the same cannot be reckoned for the purpose of finalization of his pension and pensionary benefits. However, all entitled service benefits would be mandated to be reckoned for the purpose of fixation of his pension and pensionary benefits.

5. Accordingly, the respondent authorities shall now process the pension and pensionary benefits of the petitioner by reckoning all due service benefits of the petitioner, which according to them the petitioner, herein, is entitled to.

6. The proposal in this connection be submitted by the State authorities to the office of the Accountant General (A&E), Assam, complete in all respect, on or before the next date of listing.

7. Registry to list this matter again on **06.02.2026**.

8. On the next date of listing, Mr. R Boro, learned Standing counsel, Accountant General (A&E), Assam shall apprise this Court as to the date on which they had received the proposal from the State authorities and the stage at which the same is pending as of 05.02.2026.

JUDGE

Comparing Assistant