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

Case No. : WP(C)/5316/2025

MANABI BALA DAS AND ANR
W/O- LATE BISWAJIT DAS, D/O- LATE AKUL CHANDRA DAS, R/O-
FAKIRANIJA PART-I, P.O. BARKANDA (NAYAHAT), P.S. BILASIPARA, DIST.
DHUBRI, ASSAM, PIN- 783348.

2: DHEEKHSITA DAS
D/O- LATE BISWAJIT DAS
R/O- FAKIRANIJA PART-I
P.O. BARKANDA (NAYAHAT)
P.S. BILASIPARA
DIST. DHUBRI
ASSAM
PIN- 783348

TO BE REPRESENTED HEREIN BY THE PETITIONER NO. 1 (I.E. HER
MOTHER) BEING SHE IS A MINOR)

VERSUS

THE STATE OF ASSAM AND 6 ORS
TO BE REPRESENTED BY THE SECRETARY TO THE GOVERNMENT OF
ASSAM, IRRIGATION DEPARTMENT, DISPUR, GUWAHATI-781006.

2:THE CHIEF ENGINEER
DEPARTMENT OF IRRIGATION
CHANDMARI
GUWAHATI-781003
DIST. KAMRUP METRO
ASSAM

3:THE DIRECTORATE OF PENSION AND PUBLIC GRIEVANCES
REPRESENTED BY ITS DIRECTOR
HOUSEFED COMPLEX
DISPUR
GUWAHATI-781006

DIST. KAMRUP METRO
ASSAM

4:THE ACCOUNTANT GENERAL (A AND E)

GOVERNMENT OF ASSAM
DISPUR
GUWAHATI-781106
DIST. KAMRUP METRO
ASSAM

5:THE TREASURY OFFICER
DHUBRI TREASURY OFFICE
DHUBRI
DIST. DHUBRI
ASSAM
PIN- 783301.

6:THE EXECUTIVE ENGINEER
DEPARTMENT OF IRRIGATION
DHUBRI DIVISION
GAURIPUR
DIST. DHUBRI
ASSAM
PIN- 783331.

7:SMTI NIHITA DAS
D/O- LATE BISWAJIT DAS
C/O- DILIP SARKAR
R/O- VILL.- KHALILPUR (AMBAGAN)
P.O. KHALILPUR
P.S. AND DIST. DHUBRI
ASSAM
PIN- 783325

Advocate for the Petitioner : MR. M K SARMA, MS. S S SAIKIA,MR G DAS

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

BEFORE
HONOURABLE MR. JUSTICE MANISH CHOUDHURY

ORDER

10.09.2025

Heard Mr. M.K. Sarma, learned counsel for the petitioners; Ms. D.S. Neog, learned Standing Counsel, Irrigation Department for the respondent nos. 1, 2 & 6; Mr. A. Chakraborty, learned Junior Government Advocate, Assam for the respondent no. 3; Mr. R. Boro, learned counsel representing Mr. C. Baruah, learned Standing Counsel, Accountant General, Assam for the respondent no. 4; and Mr. R. Borpujari, learned Standing Counsel, Finance Department for the respondent no. 5.

The petitioner no. 1 was the second wife of Late Biswajit Das, who died-in-harness on 13.10.2023. The petitioner no. 2 is the daughter of the petitioner no. 1 and a minor. The respondent no. 7 was the daughter of Late Biswajit Das from his first wife, who has also expired.

The petitioners are claiming equal proportionate share with the respondent no. 7 in the pension and other retirement benefits of Late Biswajit Das.

Issue notice, returnable in 4 [four] weeks.

As Ms. Neog, learned Standing Counsel, Irrigation Department has appeared and accepted notices on behalf of the respondent nos. 1, 2 & 6; Mr. Chakraborty, learned Junior Government Advocate, Assam has appeared and accepted notice on behalf of the respondent no. 3; Mr. Boro, learned counsel has appeared and accepted notice on behalf of the respondent no. 4; and Mr. Borpujari, learned Standing Counsel, Finance Department has appeared and accepted notice on behalf of the respondent no. 5, issuance of formal notice to the said respondents is dispensed with. The learned counsel for the petitioners shall furnish requisite nos. of extra copies of the writ petition along with the annexures, to the learned counsel for the abovementioned respondents within 2 [two] working days from today.

The petitioners shall take steps for service of notice upon the respondent no. 7 by registered post with A/D within 2 [two] working days from today.

List the case after 4 [four] weeks.

JUDGE

Comparing Assistant