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

Case No. : WP(C)/5627/2025

RAM SINGHA
S/O LT KUNJA BIHARI SINGHA R/O RONGHAR PT 1 PO BHANGARPAR PS
BORKHOLA SILCHAR DIST CACHAR PIN 788817

VERSUS

THE STATE OF ASSAM AND 8 ORS
REP BY THE COMMISSIONER AND SECRETARY EDUCATION
ELEMENTARY DEPTT GOVT OF ASSAM DISPUR GUWAHATI 6

2:THE COMMISSIONER AND SECRETARY
FINANCE DEPTT GUWAHATI 6

3:THE COMMISSIONER AND SECRETARY
ADMINISTRATIVE REFORMS TRAINING PENSION AND PUBLIC
GRIEVANCES DEPTT GOVT OF ASSAM DISPUR GUWAHATI 6

4:THE DIRECTOR OF ACCOUNTS AND TREASURIES
ASSAM
KAR BHAWAN GANESHGURI GUWAHATI 6

5:THE DIRECTOR OF ELEMENTARY EDUCATION ASSAM
KAHILIPARA GUWAHATI 19

6:THE TREASURY OFFICER
SILCHAR
CACHAR ASSAM

7:THE DISTRICT ELEMENTARY EDUCATION OFFICER
SILCHAR
CACHAR ASSAM

8:THE DEPUTY INSPECTOR OF SCHOOLS
SILCHAR
CACHAR ASSAM

9:THE BLOCK ELEMENTARY EDUCATION OFFICER
KATIGORAH ASSA

Advocate for the Petitioner : MR. M DUTTA, L DEKA

Advocate for the Respondent : SC, ELEM. EDU, GA, ASSAM, SC, FINANCE

BEFORE

HON'BLE MR. JUSTICE NELSON SAILO

O R D E R

22.09.2025

Heard Mr. M. Dutta, learned counsel for the petitioner, who submits that the wife of the petitioner was working as an Assistant Teacher in 861 Ronghar L.P School and she died in harness on 12.11.2018. According to the petitioner, had she been alive, she would have retired in the year 2032 on attaining the age of superannuation and therefore, she will be entitled to receive compassionate family pension. On her death, the respondent authorities have asked the petitioner to deposit a sum of Rs.4,65,599/- if he wanted to receive compassionate family pension and the petitioner accordingly deposited the same on 23.02.2023. Despite the same, the petitioner has not been paid the compassionate family pension and therefore, he is before this Court. The learned counsel for the petitioner submits that the respondents apparently has relied upon the Notification dated 27.09.2024 (Annexure-15), which otherwise cannot be made applicable to the case of the petitioner since he is already deposited the amount of Rs.4,65,599/- on 23.02.2023.

In view of above, issue notice of motion returnable by four weeks.

Ms. N. Phukan, learned Standing Counsel, Elementary Education Department accepts notice on behalf of respondent Nos. 1, 5, 7, 8 and 9, while Mr. A. Chaliha, learned Standing Counsel, Finance Department accepts notice on behalf of respondent Nos. 2, 4 & 6 and Ms. D.D Barman, learned Additional Senior Government Advocate accepts notice on behalf of respondent No.3.

Accordingly, notice on respondents are complete.

However, petitioner to serve requisite copies of the writ petition to the learned counsel appearing today for the respondents within two working days.

List the matter after four weeks.

Pendency of the writ petition shall not be a bar for the respondent authorities to mitigate the grievance of the petitioner.

JUDGE

Comparing Assistant