

GAHC010214612024



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

Case No. : WP(C)/5412/2024

ROMESH CH CHUTIA
S/O LATE MANIK CH CHUTIA, R/O SADORI BARUAH PATH, P.O.- BIDYA
NAGAR, KHELMATI, P.S.-KHELMATI, DIST- LAKHIMPUR, ASSAM

VERSUS

THE STATE OF ASSAM AND 5 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT.
OF ASSAM, DEPARTMENT OF SCHOOL EDUCATION, DISPUR, GUWAHATI-6

2:THE SECRETARY COMMISSIONER
FINANCE DEPARTMENT
GOVT. OF ASSAM
DISPUR
GUWAHATI-

3:THE DIRECTOR
SECONDARY EDUCATION
ASSAM
KAHILIPARA
GUWAHATI-19

4:THE SECRETARY
ASSAM STATE SCHOOL EDUCATION BOARD
BAMUNIMAIDAM
GUWAHATI

5:THE ACCOUNTANT GENERAL (A AND E)
ASSAM
MAIDAMGAON
BELTOLA
GUWAHATI-37

6:THE DIRECTOR
PENSION AND PUBLIC GRIEVANCE DEPARTMENT
HOUSEFED
GUWAHATI-

Advocate for the Petitioner : MR. P J SAIKIA, MS D DUTTA

Advocate for the Respondent : SC, SEC. EDU., GA, ASSAM,SC, SEBA,SC, AG,SC, FINANCE

BEFORE
HONOURABLE MR. JUSTICE ROBIN PHUKAN

ORDER

Date : 16.05.2025

Heard Mr. P. J. Saikia, learned counsel for the petitioner. Also heard Ms. H. Ternagpi, learned Standing Counsel, Secondary Education Department for the respondent Nos. 1 & 3; Mr. D. K. Roy, learned Standing Counsel, Assam State School Education Board for the respondent No.4; Mr. B. Sharma, learned Standing Counsel for the Accountant General (A&E) respondent No.5; and Ms. K. Phukan, learned Government Advocate for the respondent No. 6.

Pursuant to order dated 22.04.2025, Mr. Sarma, has obtained his instruction and submits that the GPF amount of the petitioner could not be paid, as the same was not applied for in prescribed Form duly filled in and attested by the competent authority for final withdrawal, and the leave encashment in lieu of Un-Utilised Earned Leave will be authorized on receipt of Leave salary and Pension contribution for the period w.e.f. dated 11.11.200 to 28.06.2021 from the Assam Higher Secondary Education Council.

Mr. Roy, submits that he will obtain necessary instruction in respect of the instruction received from A.G. Office and shall place the same before the Court in next date.

A copy of the instruction letter dated 01.05.2025, of the A. G. Office shall be furnished to Mr. Roy during the course of the day.

List the mater on 04.06.2025.

JUDGE

Comparing Assistant