

GAHC010216172025



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

**Case No. : WP(C)/5981/2025**

SMTI MOUCHUMI CHETIA BORA  
W/O LATE PRAFULLA BORA, R/O JOKAI PALUWA NO. 1, BIHPURIA,  
LAKHIMPUR, ASSAM-784161

VERSUS

THE STATE OF ASSAM AND 5 ORS  
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE  
GOVERNMENT OF ASSAM, ELEMENTARY EDUCATION DEPARTMENT,  
DISPUR, GUWAHATI-6

2:THE DIRECTOR OF ELEMENTARY EDUCATION  
ASSAM  
KAHILIPARA  
GUWAHATI-19

3:THE MISSION DIRECTOR  
AXOM SARBA SIKSHA ABHIYAN MISSION  
KAHILIPARA  
GUWAHATI-19

4:THE DISTRICT ELEMENTARY EDUCATION OFFICER  
BISWANATH  
PIN-784176

5:THE DEPUTY INSPECTOR OF SCHOOLS  
BISWANATH  
PIN-784176

6:HE BLOCK ELEMENTARY EDUCATION OFFICER  
CHAIDUAR EDUCATION BLOCK  
CHAIDUAR  
BISWANATH-78416

**Advocate for the Petitioner** : I AMIN, R ALI,MR M H AHMED

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

**BEFORE  
HONOURABLE MR. JUSTICE NELSON SAILO**

**ORDER**

**Date : 27.04.2026**

Mr. P. K. Bora, learned Standing Counsel, Higher Education Department, submits that he has received instructions and will be able to file the same if the matter is listed on 08.05.2026.

Accordingly, let the matter be listed on 08.05.2026.

The claim of the petitioner is for Compassionate Family Pension on account of death of her husband. According to the petitioner, in view of the Notification dated 14.09.2017, regarding the claim for Compassionate Family Pension, the petitioner should be given the benefit as prescribed thereunder.

Mr. P. K. Bora, learned Standing Counsel otherwise submits that in order to be entitled for Compassionate Family Pension, the employee concerned should render at least one (1) year of service after regularization as per his instructions.

The learned counsel for the petitioner however denies the same and submits that the prescription is completion of one year continuous service

without break before death.

Be that as it may, list the matter on 08.05.2026.

**JUDGE**

**Comparing Assistant**