

GAHC010233202016



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

Case No. : WP(C)/3416/2016

MRS. ANJALI MAZUMDAR
W/O LT. JYOTISH CHANDRA MAZUMDAR R/O HOUSE NO. 19, SADHONI
PATH 3RD, RUKMINIGAON, G.S. ROAD, GUWAHATI, KAMRUP M, ASSAM.

VERSUS

THE STATE OF ASSAM AND 4 ORS
REP. BY THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM,
PERSONAL A DEPARTMENT, DISPUR, GUWAHATI-6, ASSAM.

2:THE CHIEF SECRETARY

ASSAM SECRETARIAT
GOVT OF ASSAM
DISPUR
GUWAHATI
ASSAM.

3:THE SECRETARY TO THE GOVT. OF ASSAM

PANCHAYAT AND RD DEPARTMENT C
DISPUR
GUWAHATI-6
ASSAM.

4:THE SECRETARY TO THE
GOVT. OF ASSAM
POWER DEPARTMENT
DISPUR
GUWAHATI-6
ASSAM.

5:ACCOUNTANT GENERAL A and E
MAIDAM GAON

BELTOLA
GUWAHATI-29
KAMRUP M
ASSAM

Advocate for the Petitioner : MR.T J MAHANTA, MR. M DUTTA,MS S DEV,MR.N C DAS

Advocate for the Respondent : SC, AG, MR. S K MEDHI (R-5),GA, ASSAM

BEFORE
HONOURABLE MR. JUSTICE SANJAY KUMAR MEDHI

ORDER

09.05.2025

Heard Shri M Dutta, learned counsel for the petitioner. Also heard Shri D Nath, learned Senior Govt. Advocate, Assam as well as Shri SK Medhi, learned Standing Counsel, Accountant General, Assam.

On the last occasion i.e. 05.05.2025, instructions were directed to be obtained with regard to the aspect of compliance of Rule 21 of the Assam Services (Pension) Rules, 1969. In fact, such direction was also given on earlier occasions.

Be that as it may, Shri Nath, learned State Counsel has placed before this Court a copy of the written instructions dated 08.05.2025. A reading of the same would give a clear picture that Rule 21 of the aforesaid Rules was given a total go by and the justification has been said to be made by referring to Rules 7, 9 and 12 of the Assam Rules of Executive Business, 1968.

Let the said instructions be placed before this Court by way of an affidavit which is to be filed within 2 weeks from today.

Copy of the written instructions is made a part of the records.

Accordingly, list this case after 2 weeks.

JUDGE

Comparing Assistant