

GAHC010244742025



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

**Case No. : WP(C)/6532/2025**

MUSTT SHAHIDA BEGUM AND 2 ORS.  
WIFE OF LATE MOFIZUDDIN AHMED, DAUGHTER OF SHAHER ALI,  
RESIDENT OF BHUTNATH, SHANTIPUR, P.S.- BHARALUMUKH,  
GUWAHATI- 781009, DISTRICT- KAMRUP (M), ASSAM

2: FARNAZ AHMED (MINOR)  
D/O LATE MOFIZUDDIN AHMED (REPRESENTED BY PETITIONER NO. 1  
HER MOTHER)

3: MEFIZ AHMED (MINOR)  
D/O LATE MOFIZUDDIN AHMED (REPRESENTED BY PETITIONER NO. 1  
HER MOTHER)

VERSUS

THE STATE OF ASSAM AND 9 ORS.  
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE  
GOVERNMENT OF ASSAM, DEPARTMENT OF HOME, DISPUR, GUWAHATI-  
781006

2:THE DIRECTOR GENERAL OF POLICE  
ASSAM  
ASSAM POLICE  
ULUBARI  
GUWAHATI -781007  
DISTRICT - KAMRUP (M)  
ASSAM

3:THE COMMISSIONER OF POLICE  
GUWAHATI  
KAMRUP (M)  
ASSAM

4:THE DEPUTY COMMISSIONER OF POLICE (ADMINISTRATION)

ULUBARI  
GUWAHATI -781007  
DISTRICT - KAMRUP (M)  
ASSAM.

5:THE OFFICER IN CHARGE  
LATASIL POLICE STATION  
GUWAHATI- 781001

6:DEPARTMENT OF PENSION AND PUBLIC GRIEVANCES  
TO BE REPRESENTED BY ITS DIRECTOR  
BLOCK-A  
3RD FLOOR  
JANATA BHAWAN  
DISPUR  
GUWAHATI -781006.

7:THE ACCOUNTANT GENERAL (A AND E)  
ASSAM  
MAIDAMGAON  
BELTOLA  
GUWAHATI - 781029.

8:THE TREASURY OFFICER  
GUWAHATI  
TREASURY OFFICE  
GUWAHATI  
KAMRUP (M)  
ASSAM

9:THE COMMISSIONER AND SECRETARY TO THE GOVERNMENT OF  
ASSAM  
DEPARTMENT OF FINANCE  
DISPUR  
GUWAHATI -781006

10:NERISA SULTANA  
DAUGHTER OF PERMANENT RESIDENT OF VILLAGE DOLAITULA  
P.O. - SANIADI  
P.S. - HAJO  
PIN - 781102  
DISTRICT - KAMRUP  
ASSAM. PRESENTLY RESIDING AT DURGA SARUBAR  
NAMGHAR PATH  
P.O. AND P.S. BHARALUMUKH  
GUWAHATI - 781009  
DISTRICT - KAMRUP (M)  
ASSA

**Advocate for the Petitioner** : MR. M K SARMA, MR G DAS,B KRISHNA,MRS. M. BARUAH  
BHUYAN

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

**BEFORE**  
**HON'BLE MR. JUSTICE NELSON SAILO**  
**O R D E R**

**19.11.2025**

Heard Mr. M.K. Sharma, learned counsel for the petitioners, who submits that the petitioner No.1 is the wife of late Mofizuddin Ahmed, who died in harness on 21.09.2025. The petitioner No.1 and her late husband have two children out of their wedlock and while the petitioner No.1 was expecting to get the compassionate family pension on account of the death of her husband, the respondent No.10 claiming to be the first wife has come in the way and the respondent authorities are not inclined to release the pensionary benefits to the petitioners.

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

Ms. S. Konwar, learned Government Advocate accepts notice on behalf of respondent Nos. 1 to 6, Ms. R.M Barua, learned Standing Counsel, Finance Department accepts notice on behalf of respondent Nos. 8 & 9 and Ms. A.Sharma, learned counsel appearing on behalf of Mr. B. Chakraborty, learned Standing Counsel, Accountant General (A&E), Assam accepts notice on behalf of respondent No.7.

Petitioners to serve requisite extra copies of the writ petition to the learned counsel appearing today for the respondents within two working

days.

Petitioners to take steps for service of notice upon the respondent No.10 by registered post with A/D within three working days.

List the matter after three weeks.

Issue notice on the interim prayer returnable by three weeks as well.

Prayer for interim order shall be considered on the next returnable date.

**JUDGE**

**Comparing Assistant**