

GAHC010250422025



2026:GAU-AS:633

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

Case No. : WP(C)/6521/2025

SMT PAKHILA DAS
W/O. LATE DEBENDRA NATH DAS, VILLAGE AND P.O. - MADHUKUCHI,
DISTRICT- KAMRUP, ASSAM, PIN - 781354.

VERSUS

THE STATE OF ASSAM AND 6 ORS
REPRESENTED BY THE PRINCIPAL SECRETARY TO THE GOVERNMENT
OF ASSAM, PANCHAYAT AND RURAL DEVELOPMENT DEPARTMENT,
DISPUR, GUWAHATI-6.

2:THE COMMISSIONER AND SECRETARY TO THE GOVERNMENT OF
ASSAM
PENSION AND PUBLIC GRIEVANCE DEPARTMENT
ASSAM
DISPUR
GUWAHATI-6.

3:THE COMMISSIONER AND SECRETARY TO THE GOVERNMENT OF
ASSAM
FINANCE DEPARTMENT
DISPUR
GUWAHATI-6.

4:THE COMMISSIONER
PANCHAYAT AND RURAL DEVELOPMENT
ASSAM
JURIPAR
SIXMILE
GUWAHATI-37.

5:THE DIRECTOR OF PENSION

ASSAM
HOUSEFED COMPLEX
DISPUR
GUWAHATI-6.

6:THE CHIEF EXECUTIVE OFFICER
KAMRUP ZILLA PARISHAD
AMINGAON
P.O. AND DIST. KAMRUP
ASSAM
PIN- 781031.

7:THE TREASURY OFFICER
KAMRUP TREASURY
AMINGAON
P.O. AMINGAON
DIST. KAMRUP
ASSAM.
PIN- 781031

Advocate for the Petitioner : MR. M ISLAM, MS A KHATUN

Advocate for the Respondent : GA, ASSAM, SC, FINANCE,SC, P AND R.D.

BEFORE
HONOURABLE MR. JUSTICE KAUSHIK GOSWAMI

ORDER

21.01.2026

Heard Mr. M Islam, learned counsel for the petitioner. Also heard Mr. A K Ghosh, learned counsel for the respondent Nos. 1, 4 & 6 as well as Mr. A Chaliha, learned Standing counsel, Finance Department for the respondent Nos. 3 & 7.

2. By way of this writ petition, the petitioner is seeking grant of full pension and other retiral benefits by considering the total length of service reckoned from the date of initial appointment of the petitioner's husband in the service of the Panchayat.

3. It is submitted at the bar that the issue involved in this writ petition is covered by the Judgment of the Division Bench of this Court rendered in the case of ***State of Assam and Another vs. Syed Md. Fazlay Rabbi*** in ***Writ Appeal no. 145/2009***,

wherein the Division Bench of this Court held that the benefit of the provisions of the Assam Panchayat Employees (Provincialisation) Act, 1999 including those for pension and other retirement dues would be available to the provincialized employees in service on or after 01.10.1991, on the basis of the length of their services reckoned from the dates of their initial appointments.

4. In view of the aforesaid endorsement made by the learned counsel for the parties, this Court is of the considered view that this Writ Petition can be disposed of in the line of the aforesaid decision of this Court. It is accordingly ordered. Needless to be said that, the total length of service of the petitioner's husband Late Debendra Nath Das shall be reckoned from the date of his initial appointment i.e. 11.08.1966, in the service of the Tax Collector for grant of family pension and other retiral benefits.

5. It is further clarified that the entire exercise shall be completed within a period of two months from the date of submission of a certified copy of this order by the petitioner in the office of the respondent nos. 4 & 5 and failing to complete such exercise within the stipulated period, the same shall carry an interest of 6% per annum.

6. With the above observation and direction, the instant writ petition, stands allowed and disposed of.

JUDGE

Comparing Assistant