

GAHC010251382025



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

Case No. : WP(C)/6838/2025

GOPESH CHANDRA DUTTA
SON OF LATE SATISH CHANDRA DUTTA, RESIDENT OF WARD NO. 6,
BONGAIGAON TOWN, SURJYA SEN ROAD, P.S. AND P.O. BONGAIGAON
DIST- BONGAIGAON, ASSAM, PIN- 783380.

VERSUS

THE STATE OF ASSAM AND 5 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT
OF ASSAM, EDUCATION DEPARTMENT (ELEMENTARY), DISPUR, ASSAM,
PIN- 781006.

2:THE DIRECTOR OF PENSION
HOUSEFED COMPLEX CENTRAL BLOCK
6TH FLOOR
BELTOLA ROAD
HOUSEFED
GUWAHATI
PIN- 781006.

3:THE DIRECTOR
ELEMENTARY EDUCATION
KAHILIPARA
GUWAHATI
ASSAM
PIN -781019.

4:THE DISTRICT ELEMENTARY EDUCATION OFFICER
DIST- BONGAIGAON
ASSAM
PIN- 783380.

5:THE DEPUTY INSPECTOR OF SCHOOLS
DIST- BONGAIGAON
ASSAM
PIN- 783380.

6:THE FINANCE AND ACCOUNTS OFFICER
DIRECTORATE OF PENSION
ASSAM HOUSEFED COMPLEX CENTRAL BLOCK 6TH FLOOR BELTOLA
ROAD HOUSEFED GUWAHATI 78100

Advocate for the Petitioner : MR. B J MUKHERJEE, MS R SAHA

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

BEFORE
HONOURABLE MR. JUSTICE ROBIN PHUKAN

ORDER

Date : 03.12.2025

Heard Ms. R. Saha, learned counsel for the petitioner. Also heard Ms. N. Phukan, learned standing counsel for the respondent Nos. 1, 3, 4 and 5; and Mr. G. Pegu, learned Addl. Senior Government Advocate for the respondent Nos. 2 and 6.

In this petition, under Article 226 of the Constitution of India, the petitioner has prayed for issuing direction to the respondent authorities to release his pension as well as final gratuity and also compensate him for the long delay in processing his pension.

Ms. Saha, learned counsel for the petitioner submits that the petitioner was an employee of the Elementary Education Department, who retired from service on 31.08.2016, and thereafter, for some period of time, he was granted provisional pension. But, the same was stopped in July, 2025 and the regular pension has not been finalized and also the gratuity has not yet been paid by

the respondent authorities.

Perused the petition and the documents placed on record.

Let notice be issued to the respondents, returnable on 21.01.2026.

As all the respondents are being represented by their respective counsel, no formal notice is required to be issued to them. However, extra requisite copies of the petition be furnished to them during the course of the day.

List the matter on 21.01.2026.

In the meantime, Mr. Pegu, learned Addl. Senior Government Advocate for the respondent Nos. 2 and 6 shall obtain necessary instruction and bring the same on record by filing an affidavit-in-opposition.

JUDGE

Comparing Assistant