

GAHC010252472022



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

Case No. : Cont.Cas(C)/737/2022

DR SOLEMAN ALI
S/O. MOHAMMAD ALI, R/O. KALYANPUR, MASJID ROAD, BYE LANE NO.3,
HOUSE NO. 16, DISPUR, GUWAHATI-781006, DIST. KAMRUP (M), ASSAM.

VERSUS

DR SIDDHARTH SINGH AND ANR
COMMISSIONER TO THE GOVT. OF ASSAM, HEALTH AND FAMILY
WELFARE DEPT., DISPUR, GUWAHATI-781006.

2:MR. DHRUBA JYOTI DAS

SECRETARY TO THE GOVT. OF ASSAM
HEALTH AND FAMILY WELFARE DEPTT.
DISPUR
GUWAHATI-781006

Advocate for the Petitioner : MR. J I BORBHUIYA

Advocate for the Respondent : MR. D SAIKIA (R-1)

BEFORE
THE HON'BLE MR JUSTICE ARUN DEV CHOUDHURY
O R D E R

29.01.2024

This court under its order dated 01.02.2022 passed in WP(C) 3136/2020 directed the Principal Secretary to the Government of Assam, Health and Family

Welfare (B) Department to consider and decide the followings:

- I. To pay for the promotional post of reader with effect from 04.04.2013 till 18.10.2020 (date of superannuation).
- II. To consider regularization of the gap period from 05.11.2018 till 18.10.2020.
- III. To finalise the pension proposal of the petitioner as well as any other retiral dues that may be due to him.

Mr. A Chaliha, learned counsel representing the respondents on instruction has submitted that by an order dated 19.06.2023, the promotion of the petitioner was regularised under Regulation 4(d) of Assam Public Service Commission (Limitation of Functions) Regulations, 1951. Mr. Chaliha further submits that in the meantime, for the payment of financial benefits proposal has been sent to the finance department by the employer department on 10.11.2023 along with an EOL proposal and the department is awaiting the response from the finance department. Mr. Chaliha further submits that the department is expecting response from the finance department within a period of three weeks. As the respondents have already implemented one part of the order, on the prayer of Mr. Chaliha, the matter stands adjourned and be listed on 19.02.2024.

This court expects the respondents shall comply with the order in the proper spirit inasmuch as the matter pertains to payment of pension.

JUDGE

Comparing Assistant