

GAHC010258822024



undefined

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

Case No. : WP(C)/7055/2024

KAIKAYEE OJAH
W/O LATE DEBENDRA NATHOJAH, R/O VILL- BILORTARI HATI, P.O.-
BARPETA, P.S.- BARPETA, DIST- BARPETA, ASSAM, PIN-781301

VERSUS

THE STATE OF ASSAM AND 6 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT.
OF ASSAM, HANDLOOM TEXTILES AND SERICULTURE DEPARTMENT,
DISPUR, GUWAHATI-06

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

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

4:THE ACCOUNTANT GENERAL (A AND E)
ASSAM
MAIDAMGAON
GUWAHATI-29

5:THE DIRECTOR OF SERICULTURE
ASSAM
KHANAPARA
GUWAHATI-22

6:THE ASSISTANT DIRECTOR OF SERICULTURE

KAMRUP
KHANAPARA
GUWAHATI-22

7:THE TREASURY OFFICER
DISPUR TREASURY
DISPUR
GUWAHATI-

Advocate for the Petitioner : MR. K R PATGIRI, MS K BARMAN,MS CHITRALEKHA DAS

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

BEFORE
HONOURABLE MR. JUSTICE SOUMITRA SAIKIA

ORDER

22.04.2026

Heard Mr. K.R Patgiri, learned counsel for the petitioner. Also heard Mr. R Dhar, learned Standing Counsel, Handloom, Textiles and Sericulture Department; Mr. B Sharma, learned Standing Counsel, Accountant General and Ms. A Barthakur, learned counsel appears for the Finance Department.

Mr. R. Dhar, learned Standing Counsel, Handloom, Textiles and Sericulture Department submits on instructions that papers have been forwarded from the office of the Director, Handloom, Textile and Sericulture Department to the appropriate department in the Government. However, in view of the ensuing assembly elections, further time is sought for to obtain specific instructions on the aspect of regularizing the extraordinary leave of the husband of the writ petitioner with effect 08.08.1978 to 31.03.1998 or from 15.12.1998 as is referred to in the communication dated 26th of August 2014 (Annexure 9 to the writ petition).

The learned counsel for the petitioner on the other hand submits that on the next date he will place relevant Judgments before the court to the effect that where the departmental proceedings are not initiated against the government employee then the department is duty bound in law to regularize the extraordinary leave for the period of

absence in order to enable him to obtain the pensionary benefits.
List this matter again on 20.05.2026.

JUDGE

Comparing Assistant