

GAHC010261532025



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

**Case No. : WP(C)/6698/2025**

ARATI BALA KUMAR AND ANR  
RESIDENT OF VILLAGE KHUDRAPALAHA, P.O. BAIHATA CHARIALI,  
MADAN KAMDEV ROAD, KAMRUP- 781381

2: POMPY TALUKDAR  
C/O- LATE CHAMPAK KUMAR TALUKDAR  
RESIDENT OF VILLAGE KHUDRAPALAHA  
P.O. BAIHATA CHARIALI  
MADAN KAMDEV ROAD  
KAMRUP- 78138

VERSUS

THE STATE OF ASSAM AND 5 ORS  
REPRESENTED BY THE FINANCE DEPARTMENT, JANATA BHAWAN,  
DISPUR, GUWAHATI-06, ASSAM

2:ACCOUNTANT GENERAL AG  
O/O THE PRINCIPAL ACCOUNTANT GENERAL (A AND E) ASSAM  
ASSAM  
MAIDAMGAON  
BELTOLA  
GUWAHATI-29

3:SENIOR ACCOUNTS OFFICER  
O/O THE PRINCIPAL ACCOUNTANT GENERAL (A AND E) ASSAM OFFICE  
OF THE ACCOUNTANT GENERALIA AT NEW GUWAHATI BELTOLA  
PIN- 781029

4:THE TREASURY OFFICER  
NEW GUWAHATI TREASURY  
GOVERNMENT OF ASSAM  
OFFICE AT NEW GUWAHATI  
CHANDMARI

PIN- 781003

5:OFFICE OF THE EXECUTIVE ENGINEER (P.H.E)  
GUWAHATI DIVISION NO. 1  
GUWAHATI-21

6:JUNU TALUKDAR  
RESIDENT OF VETAPARA  
BELTOLA  
P.S. BASISTHA  
P.O. DISPUR  
GUWAHATI  
ASSA

**Advocate for the Petitioner** : MR. S C KEYAL, MS. NITUMA KAKATI,M DEKA,KAUSHIK JAIN,P UPADHAYA

**Advocate for the Respondent** : SC, FINANCE DEPTT., SC, P H E,SC, AG

**BEFORE**  
**HONOURABLE MR. JUSTICE SOUMITRA SAIKIA**

**ORDER**

**Date : --28.11.2025**

Heard Mr. S. C. Keyal, learned Sr. Counsel for the petitioner.

The writ petitioner No. 1 is the second wife of one Late, Champak Kumar Talukdar and writ petitioner No. 2 is the daughter of Late Champak Kumar Talukdar out of the marriage with his first wife, who is arrayed as respondent No. 6 in the present writ petition. The writ petitioners submit that the marriage between Late Champak Kumar Talukdar with the respondent No. 6 fell apart and respondent No. 6 started living separately with the first daughter who is petitioner No. 2. Late Champak Kumar Talukdar, thereafter, entered into his

second social marriage with petitioner No. 1 and thereafter, petitioner No. 1 and Late Champak Kumar Talukdar lived together as husband and wife. It is stated that the petitioner No. 2 is also raised by the petitioner No. 1 and Champak Kumar Talukdar. Champak Kumar Talukdar however, expired on 22.09.2025.

It is submitted that in the particulars which are available with the department, the name of the first wife is mentioned as the nominee for family pension. The late husband of the petitioner No. 1 and respondent No.6 expired on 22.09.2025. After the demise of the Late Champak Kumar Talukdar, the Treasury Officer, New Guwahati has returned both halves of the PPO and the death certificate along with the application to the Accountant General (A & E), Assam. These papers were referred by the Treasury upon information about the demise of her husband being furnished on the basis of an application filed by the respondent No. 6. The petitioners thereafter, upon being aware that the department is likely to include the name of the respondent No.6, towards grant of family pension, has filed an application before the authorities on 21.11.2025 to the Principal Accountant General (A & E), Assam. Since no response was forthcoming, the present writ petition has been filed.

Having heard the learned counsel for the parties.

Issue notice, returnable within 4 (four) weeks.

Ms. A. Barthakur, learned counsel for the respondent Nos. 1 & 4 and Mr. R. Boro, learned counsel appears for the respondent Nos. 2 and 3 and Mr. B. Gogoi, learned counsel for the PHE. Since the counsel represents by the respondent Nos. 1 to 5, notice is await. Extra copies be furnished within a period 1 (one) week from today.

Steps on respondent No. 6 by speed post within 1 (one) week from today.

Let the matter be listed again on 09.01.2026.

Till the next date fixed, the disbursement of family pension shall not be given effect to without leave of the Court.

**JUDGE**

**Comparing Assistant**