

GAHC010265132024



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

Case No. : WP(C)/6985/2024

AJOY KR. CHOUDHURY
S/O- LATE KRISHNA KANTA CHOUDHURY, RESIDENT OF CHANDANPUR
WARD NO. 8, BARPETA ROAD, DISTRICT- BARPETA, ASSAM, PIN- 781315

VERSUS

THE STATE OF ASSAM AND 3 ORS.
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT.
OF ASSAM URBAN DEVELOPMENT DEPARTMENT, DISPUR, GUWAHATI-6

2:THE DIRECTOR
MUNICIPAL ADMINISTRATION DISPUR
GUWAHATI-6

3:BARPETA ROAD MUNICIPAL BOARD
REPRESENTED BY ITS CHAIRMAN
BARPETA ROAD DIST.- BARPETA (ASSAM)
PIN- 781315

4:EXECUTIVE OFFICER
BARPETA ROAD MUNICIPAL BOARD
DIST.- BARPETA (ASSAM)
PIN- 78131

Advocate for the Petitioner : MR S SARMA, MS B DEVI,MR G GOSWAMI

Advocate for the Respondent : GA, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE SUMAN SHYAM

ORDER

Date : 03-01-2025

Heard Mr. S. Sarma, learned counsel for the writ petitioner.

Perused the averments made in the petition.

The writ petitioner's case is that he had retired from service under the Barpeta Road Municipal Board on attaining the age of superannuation w.e.f. 31-01-2022. The writ petitioner is entitled to retirement benefits. Notwithstanding the same, the complete retirement dues of the petitioner, such as Gratuity, Leave Encashment, arrear salary etc. have not been released till today. Aggrieved thereby, this writ petition has been filed seeking a writ of mandamus.

Issue notice returnable in 06 weeks.

Since Mr. J.K. Goswami, learned Govt. Advocate, Assam has appeared and accepted notice on behalf of respondent Nos. 1, 2 and 4, no formal notice is required to be sent to the said respondents.

Extra copies of the writ petition, requisite in numbers, be furnished to Mr. Goswami within 03 days from today.

Petitioner to take steps for service of notice upon respondent No. 3 by registered post with A/D.

It is made clear that pendency of this writ petition shall not constitute a bar for the authorities to redress the grievance of the petitioner, in accordance with law, if so advised.

JUDGE

GS

Comparing Assistant