

GAHC010268712022



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

Case No. : WP(C)/8441/2022

DR. BISWAJIT NATH
S/O LATE NAGENDRA CHANDRA NATH, R/O SHANTI AVASHAN,
NATUNPATTY, SILCHAR, P.O. AND P.S.-SILCHAR, DIST-CACHAR, ASSAM,
PIN-788001

VERSUS

THE STATE OF ASSAM AND 3 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE
GOVERNMENT OF ASSAM, HEALTH AND FAMILY WELFARE (A)
DEPARTMENT, ASSAM (CIVIL) SECRETARIAT, DISPUR, GUWAHATI-788006

2:THE DIRECTOR OF HEALTH SERVICES (FW)
ASSAM
SWASTHYA BHAWAN
HENGRABARI
GUWAHATI-36

3:THE JOINT DIRECTOR OF HEALTH SERVICES
HAILAKANDI
P.O.
P.S. AND DIST-HAILAKANDI
ASSAM-788150

4:THE PRINCIPAL ACCOUNTANT GENERAL (A AND E)
ASSAM
MAIDAMGAON
BELTOLA
GUWAHATI-78102

Advocate for the Petitioner : MR S NATH, DR G J SHARMA

Advocate for the Respondent : SC, HEALTH, MR. S K MEDHI (R-4),SC, AG

**BEFORE
HONOURABLE MR. JUSTICE SOUMITRA SAIKIA**

ORDER

02.05.2025

Heard Mr. S. Nath, learned counsel appearing for the petitioner. Also heard Ms. D. Bora, learned Standing Counsel appearing for the Health Department and Ms. R.R. Saikia, learned counsel on behalf of Mr. S.K. Medhi, learned Standing Counsel appearing for the Accountant General, Assam.

Ms. Bora, learned counsel, places two communications before this Court. The communication dated 24.04.2025, issued by the Joint Director of Health Services, indicates that the final payment under the Group Insurance Scheme (GIS) savings account, pertaining to the petitioner, has already been drawn and disbursed. However, it is stated therein that the service book of the petitioner has not yet been received back, which is required for the purpose of finalizing the unutilized leave salary.

Consequently, a further communication dated 25.04.2025, issued by the Director of Health Services, Assam, was addressed to the Secretary of the Health Department, pertaining to the fixation of the petitioner's pay with effect from 01.07.2016 up to the date of retirement, as well as the release of unutilized leave salary.

Ms. D. Bora prays for further 4 (four) weeks' time to complete her other instructions in the matter.

Let the matter be listed after 4 (four) weeks.

JUDGE

Comparing Assistant