

GAHC010279662023



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

Case No. : WP(C)/7318/2023

KAMRUL ISLAM CHOUDHURY
SON OF ABDUL MATIN CHOUDHURY, VILLAGE- SONAPUR PART-I, P.O.
SONAPUR, P.S. BORKHOLA, DIST. CACHAR, ASSAM

VERSUS

THE STATE OF ASSAM AND 6 ORS
REPRESENTED BY ITS COMMISSIONER AND SECRETARY GOVT. OF
SCHOOL EDUCATION DEPARTMENT, DISPUR, GUWAHATI-6

2:THE DIRECTOR
SECONDARY EDUCATION
KAHILIPARA
GUWAHATI
ASSAM-19

3:THE ACCOUNTANT GENERAL (A AND E)
ASSAM BELTOLA
GUWAHATI 29 ASSAM

4:THE DIRECTOR
PENSION AND PUBLIC GRIEVANCES DEPARTMENT
DISPUR
GUWAHATI
ASSAM

5:THE DISTRICT ELEMENTARY EDUCATION OFFICER
CACHAR
SILCHAR

6:THE INSPECTOR OF SCHOOLS
CDC SILCHAR

CACHAR

7:THE BLOCK ELEMENTARY EDUCATION OFFICER
CACHAR SILCHAR
ASSA

Advocate for the Petitioner : MR. I ALAM, MR. T SK

Advocate for the Respondent : SC, SEC. EDU., SC, AG (A AND E),GA, ASSAM

**BEFORE
HONOURABLE MR. JUSTICE ROBIN PHUKAN**

ORDER

Date : 21.05.2025

Heard Mr. I. Alam, learned counsel for the petitioner. Also heard Mr. U. Sharma, learned Standing Counsel for the respondents in Secondary Education Department and Mr. B. Sharma, learned Accountant General (A&E) for the respondent No.3.

Mr. Sharma, submits that that the Director of Secondary Education has written a letter to the Finance Department for their concurrence and the Finance Department vide letter dated 27.05.2024, has written another letter to the Director of Elementary Education, Kahilipara Assam raising the following queries as under:-

“Education Department is requested to clarify while issuing order dated 30.11.2019 allowing counting of past service of the petitioner towards pensionary benefits as per the Assam Services (Pension) Rules, 1969, did DEE take concurrence of Finance? if not, then why they are coming now to Finance Department now?”

Mr. Sharma, further submits that the reply to the aforesaid letters are

being awaited and he prays for listing the matter after 1 (one) week.

Prayer is allowed.

The instruction placed before the Court today, by Mr. Sharma shall be part of the record.

Registry shall list the matter on 12.06.2025, as part-heard.

JUDGE

Comparing Assistant