

GAHC010279662023



undefined

**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  
ASSAM

8:THE DIRECTOR  
ELEMENTARY EDUCATION  
KAHILIPARA  
GUWAHATI-1

**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  
HON'BLE MR. JUSTICE ROBIN PHUKAN**

**ORDER**

**25.06.2025**

Heard Mr. I. Alam, learned counsel for the petitioner. Also heard Mr. U. Sarma, learned counsel for the respondents in Secondary Education Department, Mr. B. Sarma, learned standing counsel, AG, appearing for the respondent No.3 and Mr. T.R. Gogoi, learned Government Advocate, appearing for the respondent No.4.

During the course of hearing, Mr. Sarma, learned standing counsel for the Secondary Education Department has produced one letter written by the Director of Elementary Education, Assam, to the Secretary to the Govt. of Assam, Department of School Education and submits that pursuant to the letter of the Government, the Office of the Director of Elementary Education has issued an order to the effect that past service is allowed for counting towards pensionary benefit as the Assam Services (Pension) Rules, 1969 and he may be granted sometime to obtain latest status of the aforementioned proposal of the Director of Elementary Education, Assam.

Prayer is accordingly allowed.

Registry shall list the matter on 23.07.2025.

In the meantime, if possible the respondent authorities shall release the provisional pension of the petitioner.

The letter produced before the Court shall be part of the record.

**Sd/- *Robin Phukan***  
**JUDGE**

**Comparing Assistant**