

GAHC010281302025



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

Case No. : WP(C)/7363/2025

MAINUL HOQUE MOLLAH
SO LATE KADER GONI MOLLAH, RO VILL NATUN HALDIBARI, PO
DHUMERGHAT, PS LAKHIPUR, DIST GOALPARA, ASSAM, PIN 78330

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE SECRETARY TO THE GOVT OF ASSAM,
DEPARTMENT OF SCHOOL EDUCATION, DISPUR, GUWAHATI 781006

2:THE DIRECTOR
ELEMENTARY EDUCATION
ASSAM
KAHILIPARA
GUWAHATI 781019

3:THE DISTRICT ELEMENTARY EDUCATION OFFICER
GOALPARA
ASSAM
PIN 783101

4:THE DIRECTOR OF PENSION
ASSAM
HOUSEFED COMPLEX
BELTOLA ROAD
GUWAHATI 781006

5:THE FINANCE AND ACCOUNTS OFFICER
DIRECTORATE OF PENSION
ASSAM
HOUSEFED COMPLEX
BELTOLA ROAD

GUWAHATI 781006

6:THE PRINCIPAL SECRETARY
GOVT OF ASSAM
FINANCE DEPARTMENT
DISPUR
GUWAHATI
PIN 781006

7:THE TREASURY OFFICER
GOALPARA TREASURY
GOALPARA
ASSAM
PIN 78310

Advocate for the Petitioner : MR. A F N U MOLLAH, MR N SARMA,K ZAMAN

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

BEFORE

HON'BLE MR. JUSTICE NELSON SAILO

O R D E R

18.12.2025

Heard Mr. N. Sarma, learned counsel for the petitioner, who submits that the petitioner who is a retired Assistant Teacher was allowed to count his past service w.e.f. 19.11.1991 to 14.07.2011 towards pensioner benefits and accordingly a provisional pension amounting to Rs.25,140/- was given to the petitioner vide office order dated 24.01.2025 along with other admissible allowances (Annexure-7). However, to the surprise of the petitioner, the amount has been reduced to Rs.17,490/- vide the impugned P.P.O issued on 10.10.2025 and by another order of same date, the petitioner has been shown to have an excess drawal of Rs.7,650/-. Aggrieved, the petitioner is before this Court.

In view of above, issue notice of motion returnable by four weeks.

Ms. N. Phukan, learned Standing Counsel, Elementary Education Department accepts notice on behalf of respondent Nos. 1, 2 & 3, Ms. K. Phukan, learned Government Advocate accepts notice on behalf of respondent No.4 and Ms. R.M. Barua, learned Standing Counsel, Finance Department accepts notice on behalf of respondent Nos. 5, 6 & 7. Notice is therefore complete.

Petitioner to serve requisite copies of the writ petition to the learned counsel appearing today for the respondents within two days.

Considering the grievance projected, it is observed that the petitioner may receive the modified pension in terms of the impugned P.P.O dated 10.10.2025 without prejudice to his right for an enhanced pension.

List the matter on **05.02.2026**.

JUDGE

Comparing Assistant