

GAHC010287982025



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

**Case No. : WP(C)/113/2026**

DILIP KUMAR DEV  
SON OF LATE GOPESH CHANDRA DEV RESIDENT OF 86, BORTHAKUR  
MILL ROAD, BYE-LANE NO.6, ULUBARI, DISTRICT-KAMRUP (M)  
GUWAHATI-781007.

VERSUS

PUNJAB NATIONAL BANK AND 5 ORS  
REPRESENTED BY ITS MANAGING DIRECTOR AND CHIEF EXECUTIVE  
OFFICER, HAVING ITS HEAD OFFICE AT PLOT NO.4, SECTOR-10, DWARKA,  
NEW DELHI

2:CENTRALIZED PENSION PROCESSING CENTRE  
KOLKATA  
PUNJAB NATIONAL BANK  
REPRESENTED BY CHIEF MANAGER 111  
HEMANTA BASU SARANI  
KOLKATA 700001

3:MR NEELANJAN BANERJEE  
CHIEF MANAGER PUNJAB NATIONAL BANK  
111  
HEMANTA BASU SARANI  
KOLKATA 700001

4:THE ACCOUNTANT GENERAL (A AND E)  
ASSAM  
MAIDAMGAON  
BELTOLA  
GUWAHATI-781029

5:MR KAMALENDU BHATTACHARJEE

SENIOR ACCOUNTS OFFICER  
PENSION-1 SECTION MAIDAMGAON  
BELTOLA  
GUWAHATI-781029.

6:STATE OF ASSAM  
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT.  
OF ASSAM  
ASSAM ADMINISTRATIVE REFORM TRAINING  
PENSION AND PUBLIC GRIEVANCE DEPARTMENT  
BLOCK-A  
THIRD FLOOR  
JANATA BHAWAN  
DISPUR  
GUWAHATI-781006

**For the petitioner (s) : Mr. S. K. Ghosh, Advocate**

For the respondent (s) : Mr. S. Dutta, SC, PNB  
Mr. C. Baruah, Advocate  
Ms. U. Sharma, Govt. Advocate

BEFORE  
**HON'BLE MR. JUSTICE DEVASHIS BARUAH**  
ORDER

21.01.2026

Issue notice making it returnable on 27.02.2026.

2. This Court on the present facts is not inclined to issue notice upon the respondent Nos.3 & 5 as there are no allegations of malafide as regards the respondent Nos.3 & 5.
3. Mr. S. Dutta, the learned counsel accepts notice on behalf of the respondent Nos.1 & 2; Mr. C. Baruah, the learned counsel

accepts notice on behalf of the respondent No.4 and Ms. U. Sharma, the learned counsel accepts notice on behalf of the respondent No.6. As the respondent Nos.1, 2, 4 & 6 are duly represented by their respective lawyers, extra copies of the writ petition be furnished upon them during the course of the day.

4. The case of the petitioner herein is that the petitioner is a family pensioner who had been receiving pension prior to 01.01.2006. In terms with the Office Memorandum dated 01.06.2010, the petitioner is entitled for computation of the family pension in terms with Clause 3(b)(I) of the said Office Memorandum. However, the Respondent Authorities, more particularly, the respondent No.4 has denied such entitlement.

5. The learned counsel appearing on behalf of the petitioner submitted that the issue is no *longer res integra* taking into account that this Court has passed orders in the case of ***Bijaya Goswami and Others vs. State Bank of India and Others***, reported in ***2018 5 GLT 122*** as well as in the case of ***Smti. Bulu Barua vs. the State of Assam***, reported in ***2017 2 GLT 856***.

6. The learned counsel appearing on behalf of the petitioner further submitted that even the State of Assam had issued a clarification on 07.08.2012, but for reasons best known, the respondent No.4 is not acting thereupon. It is under such

circumstances, the petitioner has therefore approached this Court.

7. The respondents herein are directed to bring on record their stand by filing the affidavit on or before 23.02.2026.

8. It is observed that pending the next date, it shall not be a bar on the part of the respondent No.4 to take necessary steps, if so advised, in terms with the judgments of this Court in the case of ***Bijaya Goswami and Others*** (supra) and ***Smti. Bulu Barua*** (supra).

**JUDGE**

**Comparing Assistant**