

GAHC020004082023



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

Case No. : WP(C)/165/2023

SMTI. TELEKHONUO LENO
THROUGH THE CHIEF SECRETARY TO THE GOVT. OF NAGALAND

VERSUS

THE STATE OF NAGALAND AND 2 ORS
THROUGH THE CHIEF SECRETARY TO THE GOVT. OF NAGALAND
2:COMMISSIONER AND SECRETARY TO THE GOVT. OF NAGALAND
DEPT. OF AGRICULTURE

3:THE DIRECTOR
DEPT. OF AGRICULTURE
NAGALAND KOHIM

Advocate for the Petitioner : ZASITSOLIE

Advocate for the Respondent : GOVT ADV NL

**BEFORE
HONBLE MR JUSTICE KARDAK ETE**

ORDER

Date : 22-08-2023

Heard Mr. Zasitsolie, learned counsel for the petitioner.

By filing this writ petition, the petitioner prays for a direction to the respondents to release Leave Encashment and Death Gratuity at the penal rate of 18% per annum, amounting to Rs.

29,84,780.8/- till 30.03.2023, and also for grant of other pensionary benefits to the petitioner on the death of her husband who was working as a Technical Officer in the Krishi Vigyan Kendra, Aboi, Mon District, Nagaland.

The learned counsel for the petitioner submits that the service of the husband of the petitioner was placed under the KVK after the Memorandum of Understanding between the State Government and the Indian Council of Agricultural Research, Krishi Anusandhan Bhavan, New Delhi. Since the husband of the petitioner was working under KVK as per the MoU, the privileges, amenities and facilities entitled to the staff and officials of the State Government would be given to the staff of KVK. He further submits that the Senior Assistant and Head, KVK, Mon had written to the Director of Agriculture, Kohima (Respondent No.3) for release of Death Gratuity and Leave Encashment as per the entitlement to the petitioner by letter dated 04.02.2022. However, no action has been initiated as yet by the respondent No.3.

Issue notice returnable by four weeks.

Since Ms. Inaholi, learned State counsel appears and accepts notice on behalf of respondent nos. 1, 2 and 3, no formal notice need be served. However, requisite extra copies of the petition be furnished to the learned State counsel within two days.

List this matter after four weeks.

Sd/-
JUDGE

Comparing Assistant