

GAHC040010962022



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

**Case No. : WP(C)/321/2022**

Jummo Gieyi  
S/o Lt. Karyum Geiyi,  
Nyobom Village, PO/PS Basar, Leparada District, Arunachal Pradesh.

VERSUS

THE STATE OF AP and 3 Ors.  
Represented by the Chief Secretary, Govt. of Arunachal Pradesh, Itanagar.

2:The Secretary (Vigilance) Govt. of Arunachal Pradesh, Itanagar.  
Age: 0 Occupation :

3:The Secretary Public Works Department Govt. of Arunachal Pradesh, Itanagar.  
Age: 0 Occupation :

4:The Under Secretary (PWD) Govt. of Arunachal Pradesh, Itanagar.  
Age: 0 Occupation

|                                    |   |                                                                                                     |
|------------------------------------|---|-----------------------------------------------------------------------------------------------------|
| <b>Advocate for the Petitioner</b> | : | T T Tara<br>Duksor Loyi<br>Gamken Bam<br>Terji Kamchi<br>Khoda Apa<br>Kirmani Lollen<br>Riya Sarkar |
| <b>Advocate for the Respondent</b> | : | GA (AP)<br>Ojing Pada SC(Vigilance)                                                                 |

**BEFORE  
HONBLE MR. JUSTICE NANI TAGIA**

**ORDER**

**Date : 20.07.2023**

Heard Mr. Tadup Tana Tara, learned counsel appearing on behalf of the petitioner. Also heard Ms. Pubi Pangu, learned Government Advocate, appearing on behalf of all the respondents.

The petitioner who had retired on attaining the age of superannuation on 28.02.2022, as Superintending Engineer, Public Works Department, has filed this writ petition, raising a grievance that he has not been paid the pension due to non-submission of the vigilance clearance certificate by the Secretary, Vigilance, Government of Arunachal Pradesh, Itanagar, which is required for processing of the pension papers of an employee who had retired on attaining the age of superannuation, for the purpose of payment of his pension.

Mr. Tara, learned counsel for the petitioner, while producing a copy of the order dated 04.04.2023, passed by the learned Special Judge(PCA), Yupia, in PCA No. 01/16-IN-SIC(VIG.)YZL/PS Case No. 05/2011, submits that the present petitioner who was one of the accused in PCA No. 01/16-IN-SIC(VIG.)YZL/PS Case No. 05/2011, has now been discharged vide order dated 04.04.2023, passed by the learned Special Judge(PCA), Yupia, in the aforesaid case.

Accordingly, Mr. Tara, learned counsel, submits that at the present moment, there should not be any impediment on the part of the respondent concerned to issue

the vigilance clearance certificate to the petitioner.

Having heard the submissions made by Mr. Tara, learned counsel for the petitioner, as well as by Ms. Pangu, learned Government Advocate; this writ petition is hereby disposed of with a direction to the petitioner to submit a copy of the order, dated 04.04.2023, passed by the learned Special Judge(PCA), Yupia, in PCA No. 01/16-IN-SIC(VIG.)YZL/PS Case No. 05/2011, to the Secretary, Vigilance, Government of Arunachal Pradesh, Itanagar (respondent No. 2, herein), whereafter, the respondent No. 2 i.e. Secretary, Vigilance, Government of Arunachal Pradesh, Itanagar, shall pass an appropriate order in accordance with law insofar as the issuance of vigilance certificate to the petitioner is concerned within a period of 2(two) weeks from the date of submission of the order, dated 04.04.2023, referred to above, by the petitioner along with a certified copy of this order.

The copy of the order, dated 04.04.2023, passed by the learned Special Judge(PCA), Yupia, in PCA No. 01/16-IN-SIC(VIG.)YZL/PS Case No. 05/2011, produced by Mr. Tara, learned counsel for the petitioner, is taken on record which shall form a part of the record and marked as 'X' for identification.

The writ petition stands disposed of in terms above.

**JUDGE**

**Comparing Assistant**