

GAHC010200432019



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

Case No. : WP(C)/6243/2019

MONJURI SINHA @ MANJURI SINHA @ MANJURI SINGH AND ANR.
D/O- LT BRAJAMONI SINGH @ BROJA MONI SINHA @ BROJOMONI SINHA,
VILL- GORERBONDH (CHOUDHURY KONA), P.O. NETAJI NAGAR, P.S.
RAMKRISHNA NAGAR, DIST- KARIMGANJ, ASSAM, PIN- 788166

2: ANJALI SINHA @ ANJULI SINHA @ ANJALI SINGH
D/O- LT BRAJAMONI SINGH @ BROJA MONI SINHA @ BROJOMONI SINHA
VILL- GORERBONDH (CHOUDHURY KONA)
P.O. NETAJI NAGAR
P.S. RAMKRISHNA NAGAR
DIST- KARIMGANJ
ASSAM
PIN- 78816

VERSUS

THE STATE OF ASSAM AND 6 ORS.
REP. BY THE COMM. AND SECY. TO THE GOVT. OF ASSAM, HOME DEPTT.,
DISPUR, P.O. ASSAM SACHIVALAYA, P.S. DISPUR, DIST- KAMRUP (M),
ASSAM, PIN- 781006

2: THE COMM. AND SECY. TO THE GOVT. OF ASSAM
FINANCE DEPTT.
DISPUR
P.O. ASSAM SACHIVALAYA
P.S. DISPUR
DIST- KAMRUP (M)
ASSAM
PIN- 781006

3: THE DIRECTOR GENERAL OF POLICE
ASSAM
ULUBARI

GHY
P.O. LACHITNAGAR
P.S. PALTANBAZAR
DIST- KAMRUP (M)
ASSAM
PIN- 781007

4:THE ADDL. DIRECTOR GENERAL OF POLICE (M AND L)
ASSAM
ULUBARI

GHY
P.O. LACHITNAGAR
P.S. PALTANBAZAR
DIST- KAMRUP (M)
ASSAM
PIN- 781007

5:THE COMMANDANT
6TH ASSAM POLICE BATTALION
KATHAL
CACHAR
P.O. JAIFORPUR
P.S. SILCHAR SADAR
DIST- CACHAR
ASSAM
PIN- 788005

6:THE ACCOUNTANT GENERAL
ASSAM MAIDAMGAON
BELTOLA
P.O. BASISTHA
P.S. BASISTHA
DIST- KAMRUP (M)
ASSAM
PIN- 781029

7:THE TREASURY OFFICER
KARIMGANJ
M.G.ROAD
KARIMGANJ
P.O. KARIMGANJ
P.S. KARIMGANJ
DIST- KARIMGANJ
ASSAM
PIN- 78871

Advocate for the Respondent : GA, ASSAM

**BEFORE
HONOURABLE MR. JUSTICE DEVASHIS BARUAH**

ORDER

Date : 26.04.2023

Heard Mr. S. K. Sinha, the learned counsel appearing on behalf of the petitioners. Mr. R. Ahmed, the learned counsel appears on behalf of the Principal Accountant General (A & E), Assam, Ms. M.D. Borah, the learned counsel appears on behalf of the Director of Pension and Mr. R. Borpujari, the learned counsel appears for the respondent Nos. 2 and 7.

2. The petitioners herein have approached this Court being aggrieved by non-granting of the family pension to the petitioners. It has been brought to the attention of this Court as recorded in the order dated 11/4/2023 that the petitioner No. 2 had already expired and as such the entitlement of the petitioners herein would be limited to the petitioner No. 1 for family pension.

3. On 11/4/2023 when the matter came up the counsel appearing on behalf of the Principal Accountant General (A & E) submitted that the Pension Payment Order No. 932422297823 has already been issued in favour of the petitioner No. 1 thereby entitling the petitioner No. 1 to an amount of Rs. 8760/- per month. However, as per the instructions which was produced on 11/4/2023, it was not clear as to from what date the petitioner would be entitled to family pension. This Court directed the counsel appearing on behalf of the Principal Accountant General, (A & E), Assam to apprise the Court as to from when the petitioner No. 1 would be entitled to the family pension. This Court further directed the Treasury Officer, Ramkrishnanagar to disburse the family pension on the basis of the order dated 17/2/2023 and the petitioner was directed to serve a copy of the instant order to the Treasury Officer, Ramkrishnanagar

for due compliance. Today when the mater has been listed, the learned counsel Mr. R. Ahmed appearing on behalf of the Office of Principal Accountant General (A& E), Assam has produced the Pension Payment Order bearing No. 932422297823, wherein it has been mentioned that the payment of the family pension would commence from 9/9/2019. The instructions so produced by Mr. R. Ahmed is also kept on record and marked with the letter "Y".

4. Taking into account the same, this Court therefore disposes off this writ petition with a direction to the Treasury Officer, Ramkrishnanagar to take appropriate steps so that the petitioner No. 1 receives the family pension as mentioned in the Pension Payment Order.

5. The registry is directed to serve a copy of the instant order to Mr. R. Borpujari, the learned counsel appearing on behalf of the Treasury Officer, Ramkrishnanagar so that the instant order can be duly communicated to the said authority.

6. With the above observations and directions, the petition stands disposed off.

JUDGE

Comparing Assistant