

GAHC010283842023



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

Case No. : WP(C)/7329/2023

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

VERSUS

THE STATE OF ASSAM AND 8 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE
GOVERNMENT OF ASSAM, HOME DEPARTMENT, DISPUR, P.O. ASSAM
SACHIVALAYA, P.S. DISPUR, DIST. KAMRUP(M), ASSAM, PIN- 781006.

2:THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM
FINANCE DEPARTMENT
DISPUR
P.O. ASSAM SACHIVALAYA
P.S. DISPUR
DIST. KAMRUP METRO
ASSAM
PIN- 781006.

3:THE DIRECTOR GENERAL OF POLICE
ASSAM
ULUBARI
GUWAHATI
P.O. ULUBARI
P.S. PALTANBAZAR
DIST. KAMRUP(M)
ASSAM
PIN- 781007.

4:THE ADDITIONAL DIRECTOR GENERAL OF POLICE

(M AND L)
ASSAM
GUWAHATI
P.O. ULUBARI
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 PRINCIPAL ACCOUNTANT GENERAL (A AND E)

ASSAM
MAIDAMGAON
BELTOLA
GUWAHATI
P.O. AND P.S. BASISTHA
DIST. KAMRUP(M)
ASSAM
PIN- 781029.

7:THE SENIOR ACCOUNTS OFFICER
OFFICE OF THE PRINCIPAL ACCOUNTANT GENERAL (A AND E)

ASSAM
MAIDAMGAON
BELTOLA
GUWAHATI
P.O. AND P.S. BASISTHA
DIST. KAMRUP(M)
ASSAM
PIN- 781029.

8:THE TREASURY OFFICER

RAMKRISHNA NAGAR SUB-TREASURY
RAMKRISHNA NAGAR
P.O. AND P.S. RAMKRISHNA NAGAR
DIST. KARIMGANJ
ASSAM

PIN- 788166.

9:THE TREASURY OFFICER

KARIMGANJ TREASURY
M.G. ROAD
KARIMGANJ
P.O.
P.S. AND DIST. KARIMGANJ
ASSAM
PIN- 788710

Advocate for the Petitioner : MR. S K SINHA

Advocate for the Respondent : GA, ASSAM

BEFORE
HONOURABLE MR. JUSTICE SOUMITRA SAIKIA

ORDER

21.12.2023

Heard Mr. S.K. Sinha, learned counsel for the petitioner. Also heard Mr. B. Chakravarty, learned Standing Counsel, Accountant General for the respondents No. 6 & 7; Mr. A. Chakrabarty, learned counsel for the respondents No. 1, 3, 4 & 5 and Mr. R. Borpujari, learned counsel for the respondents No. 2, 8 & 9.

The grievance of the petitioner was that she is the unmarried daughter of late Brajamoni Singh who superannuated on 31.06.2000 from the Assam Police Department. The father of the petitioner received pension till his death. The father of the petitioner was expired on 13.11.2015. The learned counsel for the petitioner has referred to the death certificate dated 27.11.2015 enclosed to the present petition. Thereafter, the petitioner made several representations before the authorities concerned for release of family pension and she is entitled to get the family pension under the Assam Service (Pension) Rules, 1969. The petitioner has a younger sister and both of them have submitted the necessary

papers for release of the family pension. Subsequently, the younger sister expired and the petitioner was the only surviving child of late Brajamoni Singh. Since their grievances were not redressed, both the petitioner and her late sister has approached this Court by filed W.P.(C) No. 6243/2019 which was disposed of on 26.04.2023. During the pendency of the writ petition, the sister of the petitioner expired and the Court disposed of the writ petition with a direction to the Treasury Officer, Ramkrishnanagar Treasury to take appropriate steps so that the petitioner No. 1 therein namely the present petitioner receives the family pension mentioned in the PPO. However, pursuant to such specific directions, the Treasury Office raised an objection saying that in the PPO, the photograph of the deceased sister was affixed. This was brought to the notice of the administrative department and several representations were issued. However, no steps having been taken. The petitioner has approached this Court for second time by filing the present writ petition.

On 18.12.2023, the learned Standing Counsel appearing for the Accountant General was permitted to obtain instructions and the matter was fixed today.

Today, when the matter is called up, the learned Standing Counsel, Accountant General has placed before the Court communication dated 11.12.2023 reads as under:

“O/O the Principal Accountant General (A&E), Assam

Maidamgaon, Beltola, Guwahati 781029

No: Pen-4/HIM/14/103002/2023/2160

Dated:- 11.12.2023

Sub:- Forwarding the Both halves of PPO in respect of Smti Monjuri Sinha Unmarried dependent daughter of Late Brajamoni Singh, Ex-Constable.

Sir,

In inviting a reference to your letter No. RST.176/2023-24/145-147, dtd. 19.07.2023, I am to forward herewith the Both Halves of PPO vide No. 932422297823 in respect of Smti Monjuri Sinha, unmarried dependent daughter of Late Brajamoni Singh, Ex-Constable after affixing the photograph of the pensioner Smti. Monjuri Sinha, as forwarded by you in the both halves of PPO for necessary action at your end.

Enclo:- As above.

Yours faithfully,

Sr. Accounts Officer

O/o the Principal Accountant General (A&E) Assam"

In view of the communication as extracted above, it appears that the Department has already done the needful and has issued PPO affixing the photograph of the petitioner.

Under such circumstances, no further cause survives for the petitioner to urge before the Court. Accordingly, the writ petition stands disposed of and the respondents including the Treasury Officer will release the family pension in favour of the petitioner as per the PPO vide No. 932422297823 which has forwarded by the Office of the Principal Accountant General (A&E), Assam. A copy of this communication is kept in the case records.

The petitioner is permitted to submit a certified copy of this Court's order before the Treasure Officer, Ramkrishnanagar.

The writ petition stands disposed of.

JUDGE

Comparing Assistant