



Serial No. 08
Regular List

HIGH COURT OF MEGHALAYA
AT SHILLONG

WP(C) No. 142 of 2024

Date of Decision: 11.09.2024

Smti Clara T. Sangma

.....**Petitioner(s)**

Versus

1. The State of Meghalaya represented by
The Chief Secretary, the Government of Meghalaya
Shillong, East Khasi Hills
2. The Deputy Commissioner, Williamnagar
East Garo Hills District, Meghalaya
3. Block Development Officer, Samanda C&RD Block
East Garo Hills District, Meghalaya
4. Pr. Accountant General, (A&E),
Meghalaya, Shillong.

.... **Respondent(s)**

Coram:

Hon’ble Mr. Justice H. S. Thangkhiew, Chief Justice (Acting)

Appearance:

For the Petitioner(s) : Mr. P.T. Sangma, Adv.

For the Respondent(s) : Mr. S.A. Sheikh, GA (For R 1-3)
Ms. E.B. Passah, Adv. (For R 4)

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| i) | Whether approved for reporting in
Law journals etc: | Yes/No |
| ii) | Whether approved for publication
in press: | Yes/No |



(ORAL)

1. In this matter, the writ petitioner has prayed for release of family pension and other terminal benefits of the deceased employee, who is stated to be the husband.

2. An affidavit has been filed by the State respondents, wherein it is indicated that the process for release of the family pension and other pensionary benefits, have already been initiated. The relevant paragraphs 6 & 7 of the affidavit, for the sake of convenience are reproduced hereinbelow:-

***“6. That the averment made in Para No. 4 of the writ petition the answering respondent deny the same. It may be mentioned that petitioner’s husband Late Garmeswar D. Sangma (hereinafter referred as deceased) was transferred from Deputy Commissioner (Election Branch), Williamnagar to Samanda C&RC Block, East Garo Hills in the year 2019 vide order dated 16.06.2019 and he was released vide order dated 28.06.2019. Thereafter, the deceased had joined his service as UDA in the office of Samanda C&RD Block, East Garo Hills vide jointing report dated 01.07.2019 and had rendered his service there till the month of September, 2021. Thereafter, he was transferred again to Songsak C&RD Block, East Garo Hills vide Transfer order dated 23.09.2021 and he was released by Block Development Officer vide released Order dated 30.09.2021, where the deceased has served till he passed away on 18.12.2021.*”**



Further, it may be stated that respondent had already initiated process for release of the family pension and other pensionary benefits of the petitioner.

(Copies of Release vide Order Memo. No. EGH/ELE-29/2009/8/3 dated 28.06.2019 is annexed herewith and marked as annexure-I)

(Copy of Transfer Order vide Memo. No. EGH/ESTT. 17/2014/PT. V/153 dated 23.09.2021 is annexed herewith and marked as annexure-II)

(Copy of Release Order vide Memo. No. SDBE/Estt. 2/2018/206 dated 30.09.2021 are enclosed as Annexure-III)

7. That with regard to the statements made in paragraph 5 and 6 of the writ petition are incorrect and hence denied. It may be stated that the office of the respondent has detected several discrepancies and errors in the service book/record of the deceased employee. However, the same is being rectified and almost completed and respondent has initiated the pension process without any further delay. Keeping in mind the petitioner's husband has served the Government for more than 31 years and have passed away while in service the office of the respondent has taken steps to process the pension paper to that the family of the deceased employee enjoy family pension and other pensionary benefits at the earliest."

3. In view of the statement on affidavit that the process has already been initiated, it is expected that the same shall be completed most expeditiously.



4. Accordingly, the instant writ petition is disposed of with a direction that the entire process should be completed, and pension papers submitted to the respondent No. 4, who shall process the same within a period of 4(four) months, from the date of this order.

5. The matter stands closed and is accordingly disposed of.

Chief Justice (Acting)

Meghalaya
11.09.2024
"V. Lyndem-PS"