

GAHC010014732023



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

Case No. : WP(C)/510/2023

LAKHESWAR BORA
S/O- LATE MALBHUG BORA,
RESIDENT OF VILLAGE- NO. 1 JABJYOG,
P.O.- JABJYOG, DIST.- LAKHIMPUR,
ASSAM, PIN- 784168.

VERSUS

THE STATE OF ASSAM AND 5 ORS.
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT.
OF ASSAM,
EDUCATION (ELEMENTARY) DEPARTMENT,
DISPUR, GUWAHATI-6.

2:THE DIRECTOR OF ELEMENTARY EDUCATION
ASSAM
KAHILIPARA
GUWAHATI-19

DIST.- KAMRUP(M)
ASSAM.

3:THE DISTRICT ELEMENTARY EDUCATION OFFICER
LAKHIMPUR
DIST.- LAKHIMPUR
ASSAM
PIN-

4:THE DEPUTY INSPECTOR OF SCHOOLS
NORTH LAKHIMPUR
DIST.- LAKHIMPUR
ASSAM

PIN-

5:THE BLOCK ELEMENTARY EDUCATION OFFICER
NARAYANPUR
DIST.- LAKHIMPUR
ASSAM
PIN-

6:THE DIRECTOR OF PENSION
ASSAM
HOUSEFED COMPLEX
DISPUR

GUWAHATI-6
DIST.- KAMRUP(M)

ASSAM

Advocate for the Petitioner : MR. N BORAH

Advocate for the Respondent : SC, ELEM. EDU

BEFORE
THE HON'BLE MR JUSTICE ARUN DEV CHOUDHURY
O R D E R

03.01.2024

Heard Mr. N Borah, learned counsel for the petitioner.

The petitioner retired from service on 31.03.2022 as Assistant Teacher of Santapur Chishapathar M.E. School. According to the petitioner, he has not been paid retiral due till date and having no alternative approached this court by filing the present writ petition. The respondent has taken a stand by filing affidavit that the original service book has been retained by the petitioner himself and in absence of the original service book, the pension proposal could not be processed.

During the course of hearing, Mr. Borah, learned counsel for the petitioner submits that his client has in the meantime, returned the original service book inasmuch as inadvertently he took the original service book with him.

In view of the aforesaid facts and as agreed to by the learned counsel for the parties, the present writ petition stands disposed of with a direction that the respondent authorities to proceed with the pension proposal of the petitioner and same be completed within a period of six weeks from the date of receipt of a certified copy of this order to be furnished before the District Elementary Education Officer (respondent No. 3). The petitioner shall co-operate with the employer department and furnish necessary documents as may be required to complete the pension proposal.

JUDGE

Comparing Assistant