

GAHC010056282024



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

Case No. : WP(C)/1566/2024

JOGEN LIGIRA @ JOGEN LIGIRIA
S/O- LT. MUHIRAM LIGIRA,
R/O- JORHATIA (GELEKI),
P.O.- DHALPUR,
P.S.- BIHPURIA
DIST.- LAKHIMPUR, ASSAM,
INDIA.

VERSUS

THE STATE OF ASSAM AND 9 ORS
TO BE REPRESENTED BY THE PRINCIPAL COMMISSIONER AND
SECRETARY TO THE GOVT. OF ASSAM,
PANCHAYAT AND RURAL DEVELOPMENT DEPARTMENT,
DISPUR, GUWAHATI-6, ASSAM.

2:THE PRINCIPAL COMMISSIONER AND SECRETARY TO THE GOVT. OF
ASSAM
FINANCE DEPARTMENT
DISPUR
GUWAHATI-06
ASSAM.

3:THE COMMISSIONER AND ESCRETARY TO THE GOVT. OF ASSAM
FINANCE DEPARTMENT (EC-II)
DISPUR
GUWAHATI-06
ASSAM.

4:THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM
PANCHAYAT AND RURAL DEVELOPMENT DEPARTMENT
DISPUR

GUWAHATI-6
ASSAM.

5:THE ADDITIONAL SECRETARY TO THE GOVT. OF ASSAM
PANCHAYAT AND R.D. DEPARTMENT
DISPUR
GUWAHATI-6
ASSAM.

6:THE COMMISSIONER
PANCHAYAT AND RURAL DEVELOPMENT DEPARTMENT
ASSAM
JURIPAR
PANJABARI
GUWAHATI-22
ASSAM.

7:THE JT. SECRETARY TO THE GOVT. OF ASSAM
PANCHAYAT AND RURAL DEVELOPMENT DEPARTMENT
DISPUR
GUWAHATI-06
ASSAM.

8:THE SECRETARY
FINANCE (ECONOMIC AFFAIRS) DEPARTMENT
DISPUR
GUWAHATI-6
ASSAM.

9:THE JOINT DIRECTOR
O/O THE COMMISSIONER

PANCHAYAT AND RURAL DEVELOPMENT DEPARTMENT
ASSAM

JURIPAR
PANJABARI
GUWAHATI-22
ASSAM.

10:THE CHIEF EXECUTIVE OFFICER
LAKHIMPUR ZILA PARISHAD
LAKHIMPUR

P.O. AND P.S.- LAKHIMPUR

DIST- LAKHIMPUR
ASSAM

PIN- 787001

Advocate for the Petitioner : MR G G GOGOI

Advocate for the Respondent : SC, P AND R.D.

**BEFORE
HONOURABLE MR. JUSTICE K. SEMA**

ORDER

Date : 29-04-2024

Heard Ms. A.Talukdar, learned counsel for the petitioner and Mr. P. Handique, learned Standing counsel for the P & RD department.

The petitioner is serving as Peon-cum-Chowkidar (Casual Worker) in the office of the Ganak Doloni Gaon Panchayat since 25/12/1992. The present writ petition has been filed seeking for a direction to release the fixed monthly wage of Rs. 4500/- for the period effective from 01/04/2010 to 30/10/2018 as per the letter dated 25/01/2012 (Annexure-A to the writ petition) written by the Joint Secretary to the Government of Assam, Panchayat and Rural Development department to the Commissioner, Panchayat and Rural Development department, Assam and the arrear salary from 01/12/2018 to 28/02/2022 as per the office order dated 14/12/2021 (Annexure-E to the writ petition), issued by the Government of Assam, Panchayat and Rural Development department, Dispur.

The learned counsel for the petitioner submits that the representation dated 03/01/2024 has been submitted to the Commissioner, P & RD department. However, no action has been taken on the representation as of date. It is submitted by the learned counsel for the petitioner that the writ petition can be dispose by directing the Commissioner, P&RD department to dispose the representation dated 03/01/2024 submitted by the petitioner for releasing the pending salary as well as arrear salary.

Mr. P. Handique, learned Standing counsel, P&RD department is not averse to the

submission made by the learned counsel for the petitioner for a direction to the Commissioner, P&RD department to dispose the representation dated 03/01/2024 submitted by the petitioner.

In the light of the submission made by the learned counsel for the parties, this Court directs the State respondents more particularly, the Commissioner, P&RD department, Assam to consider the representation dated 03/01/2024 submitted by the petitioner for releasing the pending monthly salary of Rs. 4500/- from 01/04/2010 to 30/11/2018 in terms of the letter dated 25/01/2012 and the pending arrear salary from 01/12/2018 to 28/02/2022 in terms of the office order dated 14/12/2021, within a period of 90(ninety) days from the date of passing this order. Rejection of the application dated 03/01/2024 submitted by the petitioner, if any, shall be by a speaking order which shall be furnished to the petitioner without delay.

Writ petition disposed.

JUDGE

Comparing Assistant