

GAHC010075682023



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

**Case No. : WP(C)/2008/2023**

HAZIRA BEGOM BARBHUIYA  
W/O- LATE SALIM AHMED BARBHUIYA, R/O- VILLAGE- DHANEHARI  
PART-II, P.O. SILDUBI, P.S. SONAI, DIST.- CACHAR (ASSAM), PIN- 788112

VERSUS

THE STATE OF ASSAM AND 8 ORS  
REP. BY THE PRINCIPAL SECRETARY TO THE GOVT. OF ASSAM IN THE  
DEPTT. OF ELEMENTARY EDUCATION, ASSAM SECRETARIAT, DISPUR,  
GHY-781006

2:THE PRINCIPAL SECRETARY  
TO THE GOVT. OF ASSAM IN PENSION AND PUBLIC GRIEVANCES DEPTT.  
BLOCK- A  
2ND FLOOR  
ASSAM SECRETARIAT  
DISPUR  
GUWAHATI- 781006

3:THE PRINCIPAL ACCOUNTANT GENERAL (A AND E)  
ASSAM  
MAIDAMGAON  
BELTOLA  
GUWAHATI- 781029

4:THE DIRECTOR  
DIRECTORATE OF ELEMENTARY EDUCATION  
ASSAM  
KAHILIPARA  
GUWAHATI- 781019

5:THE DIRECTOR

DIRECTORATE OF PENSION  
ASSAM  
HOUSEFED COMPLEX  
CENTRAL BLOCK  
6TH FLOOR  
BELTOLA ROAD  
HOUSEFED  
GUWAHATI- 781006

6:THE DISTRICT ELEMENTARY EDUCATION OFFICER  
CACHAR  
SILCHAR  
PIN- 788003

7:THE BLOCK ELEMENTARY EDUCATION OFFICER  
NARSINGPUR  
CACHAR  
PIN- 788115

8:HAFIZA BEGAM BARBHUIYA  
W/O- LATE SALIM AHMED BARBHUIYA  
R/O- VILL- DHANEHARI PART-II  
P.O.SILDUBI  
P.S. SONAI  
DIST.- CACHAR (ASSAM)  
PIN- 788112

9:THE BRANCH MANAGER  
STATE BANK OF INDIA  
NARSINGPUR BRANCH  
CACHAR  
PIN- 78811

**Advocate for the Petitioner : MR. O LASKAR**

**Advocate for the Respondent : SC, ELEM. EDU**

**BEFORE  
HONOURABLE MR. JUSTICE SOUMITRA SAIKIA**

**ORDER**

**Date : 08.02.2024**

Heard Mr. O. Laskar, learned counsel for the petitioner. Also heard Mr. K. A. Mazumder, learned counsel for respondent No.8 and Mr. R. K. Talukdar, learned standing counsel, Accountant General.

2. The learned counsel for the petitioner submits that an agreement is arrived at between the petitioner and the respondent No.8, who claims to be the second wife of late Salim Ahmed Barbhuiya. The petitioner is the first wife of late Salim Ahmed Barbhuiya.

3. It is submitted by the learned counsel for the petitioner that both the petitioner and respondent No.8 have come to terms and the petitioner has agreed to share a portion of the pensionary and retiral benefits with the respondent No.8 for her maintenance.

4. The petitioner therefore does not wish to press the writ petition any further.

5. While permitting the writ petition to be withdrawn, it is also made clear that if the respondent No.8 has any further grievance, then she may approach any the appropriate forum towards her claim for maintenance as has been held in the Judgment rendered by the Full Bench of this Court in *Junufa Bibi Vs Padma Begum (Mustt) and Ors* reported in 2023 (1) GLT (FB) 736.

6. Writ petition is accordingly, stands dismissed on withdrawal.

7. It is submitted that PPO has already been issued therefore, the authorities

are now duty bound to release the pension payable to the petitioner No.1 and all other retiral benefits as payable.

**JUDGE**

**Comparing Assistant**