

GAHC010139202023



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

**Case No. : Cont.Cas(C)/404/2023**

BIREN SARMAH  
S/O LATE GUNABHIRAM SARMA, R/O KATAHBARI, P.S.-AMBARI, FATASIL,  
DIST-KAMRUP (M), ASSAM

VERSUS

SMTI. MINAKSHI DAS NATH, A.C.S. AND ANR  
DIRECTOR OF CULTURAL AFFAIRS, GOVT. OF ASSAM, RABINDRA  
BHAWAN, AMBARI, GUWAHATI-781001

2:SUDHARSHAN THAKUR  
SECRETARY  
SRIMANTA SANKARDEV KALAKHSETRA SOCIETY  
PANJABARI  
GUWAHATI-78103

**Advocate for the Petitioner : MR. S S BAROOAH**

**Advocate for the Respondent : MR. R SARMA (R-2)**

**BEFORE**  
**HONOURABLE MR. JUSTICE N. UNNI KRISHNAN NAIR**

**ORDER**

**Date : 26.06.2024**

Heard Mr.S.S.Baruah, learned counsel for the petitioner and Mr. R.Sharma and Ms. M.Bhataharjee, learned counsel appearing for their respective respondents.

The learned counsel for the respondents submitted that the direction as passed by this court vide order dated 26.09.2022 in WP (C) No. 4751/2018 was complied with vide issuance of speaking order 21.10.2022 and therein has held that the petitioner is entitled to both pension and gratuity. The said order was enclosed as Annexure-II to the contempt petition.

A consideration of the order dated 26.09.2022, in the light of the direction passed by this court, this court is of the considered view that the directions as passed in this matter by this court has been complied with and there is no willful and deliberate violation of the directions so passed.

The counsel for the respondents have also brought on record the documents envisaging receipt of the gratuity amount by the petitioner .

The learned counsel for the petitioner submits that the gratuity amount as well as pension amounts have been released to him without any interest for the delayed payment. The said contention not being covered by the directions passed by this court vide order dated 26.09.2022, no further orders in this connection can be passed by this Court in the contempt petition.

However, while the contempt petition stands closed, liberty is reserved to the petitioner to file appropriate application highlighting his further grievances in the matter including the question of application of interest on account of the delayed payment of pension and gratuity to him in the matter.

**JUDGE**

**Comparing Assistant**