

GAHC010193952022



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

Case No. : WP(C)/6332/2022

SMTI RUNTI GOHAIN
W/O LATE ATANU BORDOLOI, R/O RONGTHE-ANG(B), DIPHU, P.O. AND
P.S.-DIPHU, DIST-KARBI ANGLONG, ASSAM, PIN-782462

VERSUS

THE STATE OF ASSAM AND 5 ORS
REPRESENTED BY THE SECRETARY TO THE GOVT. OF ASSAM,
PANCHAYAT AND RURAL DEVELOPMENT DEPARTMENT, DISPUR,
GUWAHATI-6

2:THE COMMISSIONER
PANCHAYAT AND RURAL DEVELOPMENT
ASSAM
PANJABARI
JURIPUR
GUWAHATI-37

3:THE KARBI ANGLONG AUTONOMOUS COUNCIL
REPRESENTED BY THE PRINCIPAL SECRETARY
KAAC
DIPHU
KARBI ANGLONG
PIN-782460

4:THE CHIEF EXECUTIVE OFFICER
NAGAON ZILLA PARISHAD
NAGAON
ASSAM
PIN-782001

5:THE PROJECT DIRECTOR

DRDA
KARBI ANGLONG
DIPHU
PIN-782460

6:THE ACCOUNTED GENERAL
ASSAM
BELTOLA
GUWAHATI-2

Advocate for the Petitioner : MR. P C DEY

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

BEFORE
HONOURABLE MR. JUSTICE SOUMITRA SAIKIA

ORDER

24.04.2024

Heard Mr. P.C. Dey, learned counsel for the petitioner. Also heard Mr. P. Handique, learned Standing Counsel, Panchayat and Rural Development (P&RD) Department, Mr. D. Bhattacharyya, learned Standing Counsel, Accountant General, Assam and Ms. S. Kemprai, learned Standing Counsel, KAAC.

2] The petitioner was appointed as a LDA-cum-typist under the DRDA, Karbi Anglong, Diphu. Subsequently, she was appointed as a stenographer Grade-III by the same authority and then promoted in Grade-II and subsequently to Grade-I. After the P&RD Department absorbed the employees of DRDA in the various Zilla Parishads under the Government sanctioned vacant posts, the petitioner joined as a stenographer in Zilla Parishad, Nagaon on 03.08.2017 with

permission to continue her duty at DRDA, Karbi Anglong. Subsequently, she superannuated from service on 31.12.2020. It is the grievance of the petitioner that although she superannuated from her service, the respondent authorities have not released her retiral benefits like Death-cum-Retirement Gratuity, Leave Encashment, Group Insurance money etc. It is submitted by the learned counsel for the petitioner that all these claims ought to have been released to the petitioner at the earliest, however, the same have not been released by the respondent authorities till date and no reasons therefor have been furnished by the respondent authorities. As such, the petitioner has approached this Court by filing the present writ petition.

3] Earlier the Department was permitted several opportunities to obtain required instructions.

4] Today when the matter was called up, Mr. P. Handique, learned Standing counsel, P&RD Department, submits on the basis of instructions received that the matter is under consideration by the Department and will require some examination and upon such examination being completed, if the petitioner is found to be payable her dues then the same shall be released.

5] Since it is submitted that the matter is under consideration by the P&RD Department, this Court considers it appropriate to dispose of the writ petition

with the direction to the respondent no.2, namely, Commissioner, Panchayat & Rural Development (P&RD) Department, Government of Assam to examine the claims of the petitioner in respect of Death-cum-Retirement Gratuity, Leave Encashment, Group Insurance money etc benefits which the petitioner claims are due to her. The respondent no.2 will examine the matter and call for the necessary reports, if required and thereafter, pass a speaking order in respect of the claims made by the petitioner. If upon verification the claims made by the petitioner are found to be due, the same be released to her without any further delay. The entire exercise shall be completed within a period of 60 (sixty) days from the date of receipt of a certified copy of this order.

6] With the above observation, the writ petition stands disposed of.

JUDGE

Comparing Assistant