

GAHC010258082023



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

**Case No. : WP(C)/6685/2023**

ILAU BASUMATARY  
W/O- LATE HARESWAR BASUMATARY, R/O- VILL.- CHAPANGAON, P.O.  
BANDARGURI, DIST. UDALGURI, ASSAM, PIN- 784509.

VERSUS

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

2:THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM  
PENSION AND PUBLIC GRIEVANCES DEPARTMENT  
DISPUR  
GUWAHATI-6.

3:THE CHIEF ENGINEER

IRRIGATION DEPARTMENT  
2ND BLOCK-B  
KRISHNA NAGAR  
CHANDMARI  
GUWAHATI-03.

4:THE ACCOUNTANT GENERAL (A AND E)  
ASSAM  
MAIDAMGAON  
BELTOLA  
GUWAHATI-29.

5:THE EXECUTIVE ENGINEER

IRRIGATION DHANSIRI PROJECT DIVISION

CANAL-I  
UDALGURI  
DIST. UDALGURI  
BTAD  
ASSAM  
PIN- 784509.

6:THE TREASURY OFFICER

UDALGURI TREASURY  
DIST. UDALGURI  
ASSAM  
PIN- 784509

**Advocate for the Petitioner** : MR. K R PATGIRI, MS CHITRALEKHA DAS,MS K  
BARMAN,MS. D. DEVI

**Advocate for the Respondent** : GA, ASSAM, SC, AG,SC, FINANCE DEPTT.,SC, IRRIGATION

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

**ORDER**

**Date : 28.11.2024**

Mr. K. R. Patgiri, learned counsel for the petitioner after making submissions at some length and this Court, having queried as to whether the petitioner had approached the respondent authorities for claiming family pension after the death of her husband, occasioning in the year 2008, Mr. Patgiri, learned counsel has submitted that he be permitted to withdraw the present writ petition with liberty to approach the respondent authorities, claiming for being authorized family pension on account of the services rendered by her husband in the Irrigation Department, Assam.

The prayer sought for is not objected to by the learned Standing Counsel for the Irrigation Department, Assam.

Accordingly, the writ petition stands dismissed on withdrawal, granting

liberty to the petitioner to approach the respondents staking a claim for being authorized family pension on account of the services rendered by her husband.

In the event of filing of such application by the petitioner, the respondent authorities shall satisfy themselves with regard to the eligibility of the petitioner, herein, to claim family pension in respect of the services rendered by late *Hareswar Basumatary*.

**JUDGE**

**Comparing Assistant**