

GAHC010261312023



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

Case No. : WP(C)/7030/2023

RUMI DAS
D/O- LATE RAJANI KANTA DAS, R/O- NEW KALIBARI, BAMUAIPAHAR, P.O.
AND P.S. TEZPUR, DIST. SONITPUR, ASSAM, PIN- 784001.

VERSUS

THE STATE OF ASSAM AND 5 ORS
THROUGH THE COMMISSIONER AND SECRETARY TO THE GOVERNMENT
OF ASSAM, HOME AND POLITICAL AFFAIRS DEPARTMENT, DISPUR,
GUWAHATI-781006.

2:THE DIRECTOR GENERAL OF POLICE
ASSAM
ULUBARI
GUWAHATI-781007.

3:THE SUPERINTENDENT OF POLICE

SONITPUR
TEZPUR
DIST. SONITPUR
ASSAM
PIN- 784001.

4:THE SECRETARY TO THE GOVT. OF ASSAM
FINANCE DEPARTMENT
DISPUR
GUWAHATI-781006.

5:THE ACCOUNTANT GENERAL (A AND E)

ASSAM

MAIDAMGAON
BELTOLA
GUWAHATI-781029.

6:THE TREASURY OFFICER
SONITPUR
TEZPUR
PIN- 784001
DIST. SONITPUR
ASSA

Advocate for the Petitioner : MR. S C BISWAS

Advocate for the Respondent : GA, ASSAM

**BEFORE
HONOURABLE MR. JUSTICE SOUMITRA SAIKIA**

ORDER

01.03.2024

Heard Ms. U. Nanda, learned counsel for the petitioner. Also heard Ms. M. Bhattacharjee, learned Addl. Sr. Government Advocate; Mr. B. Chakravarty, learned Standing Counsel, Accountant General and Mr. R. Borpujari, learned Standing Counsel, Finance for the respondents No. 4 & 6.

This writ petition is filed by the petitioner praying for grant of release of family pension to the petitioner as she is an unmarried daughter.

It is submitted that the late father of the petitioner superannuated from the Assam Police and pursuant to his superannuation he had received pension vide PPO No. 933411265961 dated 07.08.2020. The late father was also granted DCRG vide order dated 07.08.2020. However, on 24.12.2020, the late father of the petitioner had expired leaving behind the petitioner and her brother. Her brother is aged about 29 years. It is further submitted that the mother of the petitioner pre-deceased her late father. The petitioner had approached the authorities for release of family pension pursuant to expiry of the father of the petitioner. However, the family pension was not released. Having no alternative, she has approached this Court.

This Court by earlier orders had permitted the Standing Counsel, Accountant General to obtain the required instructions.

Today when the matter is fixed, Mr. B. Chakravarty, learned Standing Counsel, Accountant General has placed before the Court a communication showing the communication to the Treasury Officer issued by the Sr. Accounts Officer, Office of the Principal Accountant General (A&E) Assam, whereby the

family pension order in favour of the writ petitioner namely Miss Rumi Das shown to be unmarried dependent daughter of late Ranjit Kt. Das, Ex Havildar for Compassionate Family Pension and other dues have been issued.

The learned counsel for the Accountant General submits that in view of this communication, the petitioner may have already received her dues.

The learned counsel for the petitioner although does not have the instructions submits that since the family pension order has already been issued in favour of the writ petitioner, there is no further cause to urge in the present writ petition.

Taking into consideration the submissions made, the writ petition stands closed as not pressed in view of the communication dated 23.02.2024 No.PR-4/HOM/3/067448/2024/13620 by which the Treasury Officer, Sonitpur, Tezur was communicated to released of the family pension order in favour of the writ petitioner. Copy of the letter is also seen to be marked to the writ petitioner.

Copy of the said communication is retained in the case records.

The writ petition accordingly disposed of in terms of the above.

JUDGE

Comparing Assistant