



Serial No. 21
Regular List

HIGH COURT OF MEGHALAYA
AT SHILLONG

WP(C) No. 357 of 2024

Date of Decision: 07.10.2025

Smti Nirani Rabha,
W/o Ex-Sep (Late) Bipin Rabha,
R/o Shyamnagar, P.S. Phulbari,
West Garo Hills District, Meghalaya

... Petitioner(s)

- Versus -

1. State of Meghalaya represented by
The Chief Secretary Govt. of Meghalaya, Shillong
2. The Treasury Officer,
West Garo Hills Tura, Meghalaya
3. The Zila Sainik Welfare Officer,
West Garo Hills Tura
4. The Chief Manager,
State Bank of India,
Central Pension Processing Central,
3rd Floor, Shubham Greens Lokhra Charialli,
Guwahati, Assam.
5. The Branch Manager,
State Bank of India,
Phulbari Branch, West Garo Hills
6. Union of India through
Secretary, Ministry of Defense,
New Delhi.



7. The Principal,
Controller of Defense Accounts (Pension),
Draupadi Ghat,
Allahabad, Uttar Pradesh.

8. The Records Officer,
Army Medical CORPS Record Office,
C/O 56APO, Pin-900450

... Respondent(s)

Coram:

Hon'ble Mr. Justice H. S. Thangkhiew, Chief Justice (Acting)

Appearance:

For the Petitioner(s) : Mr. S.A. Sheikh, Adv. with
Mr. M.R. Marak, Adv.

For the Respondent(s) : Ms. R. Colney, GA with
Mr. A.M. Pala, GA (For R 1-3)
Mr. S. Pandey, Adv. (For R 4&5)
Mr. R. Debnath, CGC (For R 6,7&8)

i)	Whether approved for reporting in Law journals etc:	Yes/No
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ii)	Whether approved for publication in press:	Yes/No
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JUDGMENT AND ORDER (ORAL)

1. The petitioner who is the widow of the deceased serviceman is before this Court for issuance of necessary orders to direct the respondents to complete the process for release of pension, which due to



the non-submission of joint notification, which was sought by the office of the respondents Nos. 7 & 8, the same was stopped.

2. Mr. S.A. Sheikh, learned counsel for the petitioner has submitted that the deceased husband of the petitioner had retired in 1978 and was granted pension, and on his expiry on 15.02.2008, the writ petitioner had applied for family pension, and the same was also released to her till June, 2019. However, on her request to change the deposit of pension from the Treasury to a Branch of the SBI at Phulbari, certain objections were raised by the respondents Nos. 7 & 8, that it had been observed that though the joint notification had not been carried out earlier, after the death of her husband, the pension however had been regularly paid to the writ petitioner. He submits that the query that was raised was under what authority the pension had been paid to the writ petitioner when there was no joint notification to enable the same. The learned counsel further submits that the respondents Nos. 7 & 8, then had requested the respondent No. 2 to forward a fresh Life Time Arrears (LTA) Certificate, and also to mention the overpaid amounts, if any. As on date he submits, all the requirements have since been complied with, and a fresh LTA has also been issued by the respondent No. 2, and therefore there should be no impediment for the authorities in completing



the process to release the outstanding amounts and pension of the writ petitioner, who is suffering from financial crisis.

3. Ms. R. Colney, learned GA for the respondents No. 1, 2 & 3, apart from concurring to the submission made by the learned counsel for the petitioner, has submitted that the pension that was paid earlier to the writ petitioner was due to the fact that the Rules of the *Meghalaya Civil Service Pension Rules, 1983*, which were not applicable to the case of the petitioner had been incorrectly applied, and as her name was mentioned in the PPO, the pension was accordingly disbursed by the respondent No. 2. In this context, the learned GA has drawn the attention of this Court to a letter dated 29.10.2024, wherein it has been clarified that regarding issue of LTA, there was no LTA arrears pending with the respondent No. 2, since the pension was disbursed w.e.f. February, 2008 till June, 2019. She further submits that perhaps the matter can be disposed of at this stage itself by directing the respondent No. 2 to intimate the respondents Nos. 7 & 8, afresh through the respondent No. 3, who is the competent authority overseeing the disbursement of pension and other retiral benefits to retired servicemen and their dependents.

4. Mr. R. Debnath, learned CGC for the respondents Nos. 6, 7 & 8, submits that on receipt of such clarifications, the pension will be restored and all pending arrears will be cleared.



5. Mr. S. Pandey, learned counsel appearing on behalf of the respondents Nos. 4 & 5, i.e. the State Bank of India has also submitted that on the process being completed, the instant respondents will process the matter immediately and release the pension to the writ petitioner, from their Branch at Phulbari.

6. On hearing the learned counsel for the parties, it appears that the disruption for payment of pension to the writ petitioner, who is no doubt entitled to the same, was due to the wrongful application of the ***Meghalaya Civil Service Pension Rules, 1983***, which was detected at a latter stage. As the procedure demands that a joint notification and the LTA be submitted to the competent authority to ensure the smooth payment of pension, and as the same was not available that point of time, the writ petitioner was deprived of the pension amounts w.e.f July, 2019 till date.

7. It is indeed unfortunate that due to certain procedural lapses, the situation has occurred. It is therefore, directed that the respondent No. 2, shall immediately ensure that all the required necessary formalities i.e. LTA, and joint notification if not already issued, be submitted to the respondent No. 3, for onward transmission to the respondents Nos. 7 & 8, for necessary compliance, immediately.



8. It is expected that the entire exercise shall be conducted expeditiously and the process be completed preferably, within a period of 3(three) months, from the date of this order.

9. Needless to add, the respondent Bank shall assist the respondent No. 2, in providing all the necessary records.

10. As ordered above, the matter stands closed and is accordingly disposed of.

Chief Justice (Acting)

Meghalaya
07.10.2025
"V. Lyndem-PS"