

Serial No.31
Regular List

HIGH COURT OF MEGHALAYA
AT SHILLONG

WP(C). No. 252 of 2023

Date of Decision :23.05.2024

Smti. Amiya Devi, aged about 57 years,
W/o Late Basanta Sarma,
R/o Baregaon, P.O &P.S –
Kamalpur District – Kamrup,
Assam – 781101.

...Petitioner

-Versus-

1. Meghalaya Energy Corporation Limited
represented by Chairman cum Managing Director,
Meghalaya Energy Corporation Limited,
Lum Jingshai, Shillong.
2. Director (Finance),
Meghalaya Energy Corporation Limited,
Lum Jingshai, Shillong- 793001.
3. The Accounts Officer (Pension)
Accounts Department,
Meghalaya Energy Corporation Limited,
Lum Jingshai, Shillong-793001.
4. Padumi Devi,
S/o Late Basanta Sarma,
R/o – Baregaon, P.O & P.S –
Kamalpur District, Kamrup,
Assam – 781101.

5. Shri. Bipul Sarma,
S/o S/o Late Basanta Sarma,
R/o – Baregaon, P.O & P.S –
Kamalpur District, Kamrup,
Assam – 781101.

...Respondents

Coram:

Hon'ble Mr. Justice H.S.Thangkhiew, Judge.

Appearance:

For the Petitioner/Appellant(s) : Mr. D.Sarma, Adv.
Mr. M.U.Ahmed, Adv.

For the Respondent(s) : Ms. R.Colney, GA for R 1-3.
Mr. S.D.Upadhaya, Adv. for R 4.

- | | | |
|-----|--|--------|
| i) | Whether approved for reporting in
Law journals etc: | Yes/No |
| ii) | Whether approved for publication
in press: | Yes/No |
-

JUDGMENT AND ORDER (ORAL)

1. Ms. R.Colney, learned GA on behalf of the respondent-Corporation has obtained instructions and produced the list of names of the nominees of the deceased employee, Shri. Basanta Sarma, who had superannuated on 01-07-2013 and expired on 02-03-2021.

2. In the said nomination form, it is seen that the name of the writ petitioner as well as the respondent No. 5 had been reflected. It has also

been submitted that respondent No. 5 presently is aged 22 years, and as such if any family pension is accorded to the said respondent, he will be able to enjoy the same only for 3 more years till he attains the age of 25 years. As the Pension Rule allows for sharing of family pension between the nominees, it is directed that the petitioner and the respondent No. 5 shall share the pension of the deceased employee on a 50% basis, till the respondent No. 5 attains the age of 25 years, after which the same will be enjoyed solely by the writ petitioner.

3. As ordered above, matter stands closed and disposed of.

Judge

Meghalaya
23.05.2024
"Samantha PS"