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

Case No. : WP(C)/3939/2026

MAZEDA KHATUN
W/O- LATE ABDUS SATTAR AHMED @ MD. ABDUL SATTER MIAH,
VILLAGE-AHMEDPUR, P.S. GOSSAIGAON DIST. KOKRAJHAR, BTR, ASSAM

VERSUS

THE STATE OF ASSAM AND 5 ORS
REPRESENTED BY THE PRINCIPAL SECRETARY TO THE GOVT. OF ASSAM,
HEALTH AND FAMILY WELFARE DEPTT. DISPUR, GUWAHATI-6

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

3:THE PRINCIPAL SECRETARY
BODOLAND TERRITORIAL COUNCIL
(BTC) KOKRAJHAR
ASSAM. PIN- 783370.

4:THE DIRECTOR OF HEALTH SERVICES
ASSAM
HENGRABARI
GHY- 36.

5:THE JOINT DIRECTOR OF HEALTH SERVICES
KOKRAJHAR
BTC
ASSAM. PIN-873370.

6:THE TREASURY OFFICER

GOSSAIGAON
P.O. GOSSAIGAON
DISTRICT KOKRAJHAR
ASSAM.78336

Advocate for the Petitioner : MD. A HUSSAIN, MR. K ALOM,MR. T ISLAM

Advocate for the Respondent : SC, HEALTH, SC, AG (A AND E),SC, BTC,SC, FINANCE

BEFORE
HONOURABLE MRS. JUSTICE SHAMIMA JAHAN

ORDER

Date : 06.11.2026

Heard Mr. A. Hussain, learned Counsel for the petitioner and Mr. S. Sharma, learned Counsel for respondent nos. 1 and 4. Also heard Ms. N. Choudhury, learned Counsel for BTC. Also heard Mr. MP Sarma, learned Counsel appearing on behalf of Mr. B. Sarma, learned Counsel for Accountant General.

2. By this application filed under Article 226 of the Constitution of India, the petitioner has raised the grievance that after the death of her husband, she was not given the family pension by the respondent authorities.

3. The case of the petitioner is that her husband namely Abdus Sattar Ahmed @ Md. Abdul Satter Miah was serving as Surveillant Inspector in different places within Kokrajhar and that he got retired on 28.02.2010 on superannuation. The further case of the petitioner is that after retirement, the concerned department granted pensionary benefits to her husband vide PPO No. 920101018854. The petitioner stated that her husband had received his pension during his lifetime and that he died on 20.09.2024 leaving the petitioner and her four sons. It is the further case of the petitioner that in the PPO as mentioned above, the petitioner's name is mentioned as the wife of late Md. Abdul Satter Miah and

that her photographs was also affixed in the said PPO. The petitioner further stated that however no pension was given to the petitioner after her husband's death and that she approached the authorities by filing representations for grant of family pension and in response to the said representation, respondent no.6, the Treasury Officer, Gossaigaon asked the petitioner to rectify the name of her deceased husband as there were some discrepancy in the spelling of the same. She was further advised that she may approach before the Accountant General for doing the needful. Pursuant to the same, the petitioner submitted a representation on 22.07.2025 before the Accountant General along with a copy of the affidavit dated 17.07.2025 for correction of her husband's name and to allow family pensions to her.

4. The learned Counsel for the petitioner submits that in the PPO, the name of the petitioner was reflected in the same and that she is wife of the Government servant who retired and who died. He further submits that the petitioner is entitled for the family pension and that the department should verify the identity of her husband and allow family pension to her.

5. Ms. N. Choudhury, learned Counsel for the BTC submits that the husband of the petitioner was always known as Md. Abdul Satter Miah throughout and that all his documents also shows the said name but after his death, whatever documents were submitted by the petitioner, her husband's name was reflected as Abdus Sattar Ahmed. As such, she submits that there is a discrepancy in the name of her husband and as such, the family pension was not allowed to the petitioner without verification.

6. This Court therefore on consideration of the facts and submissions of the learned Counsels deems it fit to direct the Accountant General (A and E), Assam to conduct an enquiry and verify regarding the husband of the petitioner and

find out as to whether Abdus Sattar Ahmed and Md. Abdul Satter Miah is one and the same person or different persons. Further the representation that was submitted by the petitioner on 22.07.2025 be considered by the Accountant General. It is further directed that the petitioner may also submit a fresh representation before the said authority by annexing the relevant documents thereof. The said exercise is to be completed by the Accountant General within a period of two months from the date of the order. Further the Principal Secretary, BTC, Kokrajhar is also directed to assist in the verification to be done by the Accountant General.

7. With these observations, the petition is disposed of.

JUDGE

Comparing Assistant