GAHC010169132023

2026:GAU-AS:15238

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

Case No. : WP(C)/4424/2023

KAMINI DAS
W/O- LATE UMESH CH. DAS, R/O- VILLAGE- AHOPA, P.O. AHOPA, P.S. MUSHALPUR, DISTRICT- BAKSA, BTAD (ASSAM)

VERSUS

THE STATE OF ASSAM AND 3 ORS
REPRESENTED BY THE SECRETARY (E) TO THE GOVERNMENT OF ASSAM, IRRIGATION DEPARTMENT, DISPUR, GUWAHATI-6

2:THE CHIEF ENGINEER
IRRIGATION
ASSAM
CHANDMARI
GUWAHATI-781003

3:THE ACCOUNTANT GENERAL (A AND E)
ASSAM
MAIDAMGAON
BELTOLA
GUWAHATI- 781036

4:THE EXECUTIVE ENGINEER
PATHSALA DIVISION
IRRIGATION
PATHSALA

5:DIRECTOR OF PENSION
ASSAM
HOUSEFED
DISPUR
GUWAHATI-781006.

6:THE SECRETARY TO THE GOVERNMENT OF ASSAM
DEPARTMENT OF FINANCE

JANATA BHAWAN
DISPUR
ASSAM
GUWAHATI-06

7:THE TREASURY OFFICER
PATHSALA SUB TREASURY

DISTRICT-BAJALI
ASSAM

Advocate for the Petitioner : MR H DAS, MR. B C DEKA,D BARUAH

Advocate for the Respondent : SC, IRRIGATION, MR. S K MEDHI,SC, FINANCE DEPTT.,MR P NAYAK,SC, HEALTH,SC, AG

BEFORE
HONOURABLE MR. JUSTICE KARDAK ETE

ORDER

Date : 09.10.2026

Heard Mr. H. Das, learned counsel for the petitioner. Also heard Mr. D. Borah, learned Standing Counsel, Irrigation Department, for respondent Nos. 1, 2 & 4, and Ms. R. Dutta, learned counsel appearing on behalf of Mr. S. K. Medhi, learned Standing Counsel, Accountant General, Assam, for respondent No. 3; and Mr. R. Dhar, learned State Counsel for respondent No. 5.

2. The simple grievance of the petitioner in the present writ petition is with regard to the non-payment of Death-cum-Retirement Gratuity (DCRG) benefits in respect of her deceased husband, Late Umesh Chandra Das, who was serving as a Helper (Grade-IV employee) in the Office of the Executive Engineer,

Pathsala Division, Irrigation Department, and died in harness on 12.01.2017.

3. It is the case of the petitioner that after the death of her husband, she approached the respondent authorities for release of the pensionary and other retirement benefits admissible to her, including family pension, GIS, DCRG and GPF. Pursuant thereto, the Family Pension Payment Order (FPPO) dated 06.08.2019 was issued and certain benefits, including family pension and GIS, were released in her favour. However, the DCRG benefits and the GPF amount of Rs. 1,04,366/- remained unpaid. During the pendency of the present writ petition, the aforesaid GPF amount of Rs. 1,04,366/- has been released to the petitioner, which has been duly acknowledged by her.

4. Today, Mr. D. Borah, learned Standing Counsel, Irrigation Department, by placing on record a communication dated 30.07.2026, issued by the Executive Engineer, Tihu-Bajali Division (Irrigation), Tihu, submits that at the time of processing the pension papers of the deceased husband of the petitioner, the calculation of DCRG, along with all requisite documents, including the Service Book, had already been forwarded to the Office of the Accountant General (A&E), Assam, for necessary authorization. He submits that once the pension papers, along with the requisite documents, are forwarded by the concerned Department, it is for the Office of the Accountant General (A&E), Assam, to scrutinize and process the same for authorization of the admissible pensionary benefits. However, it appears that the claim of the petitioner in respect of DCRG has inadvertently remained unattended to at the level of the Accountant General (A&E), Assam.

5. On the other hand, Ms. R. Dutta, learned counsel appearing on behalf of Mr. S. K. Medhi, learned Standing Counsel, Accountant General, prays for some time to obtain necessary instructions in the matter. However, considering the issue involved in the present writ petition and the fact that the claim relates to the DCRG benefits of an employee who died in harness as far back as on 12.01.2017, this Court is not inclined to grant any further adjournment. Accordingly, the prayer stands declined.

6. It is not in dispute that the petitioner is entitled to the DCRG benefits in respect of her deceased husband, Late Umesh Chandra Das, who was serving as a Grade-IV employee under the Irrigation Department. It is also undisputed that the petitioner has already been receiving family pension and has been paid the other admissible benefits, including GIS and GPF. However, the DCRG benefits, despite the lapse of considerable time, have not yet been released in her favour.

7. Record reveals that the concerned Irrigation Department had already forwarded the pension papers of the deceased employee, including the calculation of DCRG, and forwarded the same, along with the requisite documents, to the Office of the Accountant General (A&E), Assam, for necessary authorization. The FPPO dated 06.08.2019 has also been issued and the petitioner has been receiving family pension pursuant thereto. However, the claim relating to DCRG appears to have remained pending at the level of the Accountant General (A&E), Assam.

8. Having considered that the concerned authority, particularly the Irrigation

Department, has already processed and forwarded the requisite pension papers, including the DCRG calculation, to the Office of the Accountant General (A&E), Assam, and that the other admissible pensionary benefits have already been released to the petitioner, I am of the considered view that no useful purpose would be served by keeping the present writ petition pending any further.

9. Accordingly, this writ petition is disposed of with a direction to the respondent No. 3, the Accountant General (A&E), Assam, to complete the process in respect of the DCRG claim of the petitioner within a period of 3 (three) weeks from today.

10. Needless to observe that upon completion of the aforesaid process, the concerned respondent authorities shall take immediate steps for release of the admissible DCRG amount in favour of the petitioner, without any further delay.

11. With the above observations and directions, this writ petition stands disposed of.

JUDGE

Comparing Assistant