

GAHC010009582023



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

Case No. : WA/48/2023

KRISHNA DEB.

D/O LATE KANDORPO DEB, R/O SOUTH HAIBORGAON, P.O.-
HAIBORGAON, PIN- 782101, P.S.- SADAR, DIST.- NAGAON, ASSAM.

VERSUS

1: THE STATE OF ASSAM AND 3 ORS. REP. BY THE COMMISSIONER AND
SECRETARY TO THE GOVT. OF ASSAM, GENERAL ADMINISTRATION
DEPTT., ASSAM, DISPUR, GUWAHATI- 6.

2:THE DEPUTY SECRETARY TO THE GOVT. OF ASSAM,
GENERAL ADMINISTRATION DEPTT. ASSAM DISPUR GUWAHATI- 6.

3:THE DEPUTY COMMISSIONER
NAGAON DISTRICT NAGAON ASSAM- 782001.

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

For the Appellant(s) : Ms. M. Nirola, Advocate on behalf of Mr. P.J. Saikia, Senior Advocate.

For the Respondent(s) : Mr. A. Phukan, Standing Counsel, General Administration Department for
respondent Nos.1 & 2.
: Mrs. R.B. Bora, Junior Govt. Advocate, Assam for respondent No.3.
: Mr. C. Baruah, Standing Counsel, Accountant General for respondent No.4.

**- B E F O R E -
HON'BLE THE CHIEF JUSTICE MR. VIJAY BISHNOI
HON'BLE MR. JUSTICE SUMAN SHYAM**

30.05.2024

(Vijay Bishnoi, CJ)

This writ appeal is filed by the appellant/writ petitioner being aggrieved
with the order dated 02.11.2022 passed by the learned Single Judge in WP(C)

No.6887/2022, whereby the claim of the appellant/writ petitioner to grant her pensionary benefits treating her as Revenue Sheristadar has been rejected.

During the pendency of the present appeal, the State has considered the case of the appellant/writ petitioner and has decided to grant pensionary benefits to the appellant/writ petitioner treating her as Revenue Sheristadar.

Mr. C. Baruah, learned standing counsel, Accountant General, by producing a letter dated 29.05.2024 issued by the Principal Accountant General (A&E), Assam to the Treasury Officer, Nagaon, has submitted that vide the said letter, the Principal Accountant General (A&E), Assam has already requested the Treasury Officer, Nagaon to grant the benefit of pension treating the appellant/writ petitioner as Revenue Sheristadar as per the PPO issued by the Office of the Principal Accountant General.

Ms. M. Nirola, learned counsel for the appellant/ writ petitioner is in agreement that the relief, as prayed for in the writ petition, has already been granted to the appellant/writ petitioner.

Taking into consideration the above facts and circumstances of the case, we are of the view that since the claim of the appellant/writ petitioner to grant her pensionary benefits while treating her as Revenue Sheristadar has already been granted, this writ appeal is allowed. The impugned order dated 02.11.2022 passed by the learned Single Judge in WP(C) No.6887/2022 is accordingly set aside.

Copy of the letter dated 29.05.2024, as produced by Mr. C. Baruah, learned standing counsel, Accountant General, is placed on record of this case.

JUDGE

CHIEF JUSTICE

Comparing Assistant