

GAHC010024862017



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

Case No. : WP(C) 3255/2017

1:MS. SAFATUN NESSA
W/O LT. MAZIBUR RAHMAN R/O VILL and P.O. CHENGA P.S. TARABARI
DIST. BARPETA, ASSAM, PIN - 781305

VERSUS

1:THE STATE OF ASSAM and 6 ORS.
REP. BY THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM,
ANIMAL HUSBANDRY and VETERINARY DEPARTMENT, DISPUR,
GUWAHATI -6.

2:THE JOINT SECRETARY TO THE
GOVT. OF ASSAM
ANIMAL HUSBANDRY and VETERINARY DEPARTMENT
DISPUR GUWAHATI-6.

3:THE DIRECTOR
ANIMAL HUSBANDRY and VETERINARY
ASSAM
CHENIKUTHI
GUWAHATI -3.

4:THE DISTRICT ANIMAL HUSBANDRY and VETERINARY OFFICER
P.O. and P.S. BARPETA
DIST. BARPETA
ASSAM
PIN - 781301.

5:THE TREASURY OFFICER
BARPETA
P.O. and P.S. BARPETA
DIST. BARPETA
ASSAM
PIN - 781301.

6:THE SUB-DIVISIONAL ANIMAL HUSBANDRY
and VETERINARY OFFICER
SOUTH SALMARA
HATSINGIMARI
P.O. and P.S. HATSINGIMARI DIST. HATSINGIMARI MANCACHAR
ASSAM
PIN - 783135.

7:THE TREASURY OFFICER
SOUTH SALMARA
P.O. and P.S. HATSINGIMARI
DIST. HATSINGIMARI
MANCACHAR
ASSAM
PIN - 783135

Advocate for the Petitioner : MS.K SHARMA

Advocate for the Respondent : GA, ASSAM R1-7

BEFORE
HONOURABLE MR. JUSTICE N. KOTISWAR SINGH

ORDER

Date : 31-10-2018

Heard Mr. S. Y. Ahmed, learned counsel for the petitioner. Also heard Mr. S. S. Roy, learned counsel for the State respondent.

2) The present petition has been filed by the petitioner, seeking for a direction for release of arrear salary of the late husband of the petitioner namely, Mazibur Rahman, who was serving as Junior Assistant under the Animal Husbandry & Veterinary Department, Govt. of Assam. He was placed under suspension from 31.05.2002 to 31.12.2004 by the Department. However, he was reinstated to service. Later on, but after being reinstated, he died on 28.01.2006 while in service. Though, the petitioner is receiving his family pension, she claims that she has not received the salary for the aforesaid period of suspension.

3) In this regard, the petitioner had submitted a representation to the respondent authorities on 03.06.2016 for releasing the same. But, as there is no response from the authorities, the petitioner has approached this Court by filing this petition.

4) In view of the submissions made by the learned counsel for the petitioner, this Court is of the opinion that the present petition be disposed of with the direction to the respondent authority to examine the claim of the petitioner and, if it is found that salary for the aforementioned period of suspension had not been released to the petitioner, the same may be released by the respondent authority to the petitioner within a period of two months from today.

5) Ordered accordingly and petition is disposed of.

6) A copy of this order be furnished to the learned counsel of the parties.

JUDGE

Comparing Assistant