

(2018) 12 GAU CK 0048

In the Gauhati High Court

Case No : Writ Petition (C) No. 7788 Of 2016, Writ Petition (C) No. 6934, 6720 Of 2013

Konmai Phukan

APPELLANT

Vs

State Of Assam And 4 Ors

RESPONDENT

Date of Decision : 15-12-2018

Acts Referred:

Assam Services (Pension) Rules, 1969 — Rule 67

Citation : (2018) 12 GAU CK 0048

Hon'ble Judges : Arup Kumar Goswami, J

Bench : Single Bench

Advocate : M Deka

Final Decision : Disposed Off

Judgement

Heard Mr. H. Talukdar, learned counsel appearing for the petitioner in W.P.(C) No.7788/2016 and Mr. T.A. Choudhury, learned counsel appearing for the petitioners in W.P.(C) No.6720/2013 and W.P.(C) No.6934/2013. Also heard Ms. B. Bora and Mr. R. Boro, learned Standing Counsel, Accountant General; Mr. P. Nayak, learned Standing Counsel, Finance Department; Mr. N. Upadhyay, learned State Counsel and Mr. D. Nath, learned Standing Counsel, Pension and PGD, for the respondents.

Learned counsel for the parties submit that these cases are covered by the judgment and order dated 4.12.2018 passed in W.P.(C) No.1089/2015 and other connected cases. However, Mr. P. Nayak, learned Standing Counsel, Finance Department submits that the cases be taken up after vacation.

Since the cases are admitted to be covered, I see no reason to adjourn the cases.

W.P.(C) No.1089 of 2018 and other connected cases were disposed of by the following order :

31. In view of above discussion and by taking into consideration the various

judicial pronouncements on the subject, the writ petitions are disposed of directing the respondent authorities to determine the continuous length of service of the petitioners as a Muster Roll Workers and if such service meets the bench mark of 20 years without any deduction, the benefit of pension should be made available to them. While carrying out said exercise, the respondent authorities are also directed to take recourse Rule 67 for those petitioners who fail to meet the bench mark of 20 years by 12 months or less. No order as to cost.

Accordingly, these petitions also stand disposed of in the above terms. It is noted that, Rule 67 as appearing in Para-31 above, relates to Assam Services (Pension) Rules, 1969.