
(2018) 12 GAU CK 0042
In the Gauhati High Court
Case No : Writ Petition (C) No. 626 Of 2017

Sankar Pathak

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 0042

Hon'ble Judges : Arup Kumar Goswami, J

Bench : Single Bench

Advocate : R Baruah

Final Decision : Disposed Off

Judgement

Heard Mr. R.M. Choudhury, learned counsel for the petitioner. Also heard Mr. R. Boro, learned Standing Counsel, Accountant General; Mr. P. Nayak, learned Standing Counsel, Finance Department; Mr. N. Upadhyay, learned State Counsel, for the respondents.

Learned counsel for the parties submit that the present case is 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 case be taken up after vacation.

Since the case is admitted to be covered, I see no reason to adjourn the case.

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, the present petition 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.