GAHC040002792025

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

Case No. : WP(C)/78/2025

Radek Romin
Son of Late Bomra Romin, resident of Lik Gumin colony, Aalo, PO and PS Aalo,
West Siang District, Arunachal Pradesh.
VERSUS
The State of AP and 2 Ors
represented by the Commissioner, (Education), Govt of Arunachal Pradesh, Itanagar.
2:The Director of Elementary Education
Age: 0
Occupation :
Govt of Arunachal Pradesh
Itanagar.
3:The Deputy Director of School Education
Age: 0
Occupation :
West Siang District
Arunachal Pradesh

Advocate for the Petitioner : Nani Anju, Keprunda Mena,Kinyak Loya

Advocate for the Respondent : Taba Tagum, SC (Education)

-BEFORE-

HON'BLE MR. JUSTICE ARUN DEV CHOUDHURY

28.02.2025

Heard Ms. N. Anju, learned counsel for the petitioner. Also heard Mr. T. Tagum, learned Standing Counsel, Education Department representing all the respondents.

2. The present writ petition has filed with a grievance that the petitioner, though was reinstated in service after revocation of suspension order, however, he has not been paid the arrear of salaries/arrears of subsistence allowance. It is the further case of the petitioner that he has in the meantime retired, however, he has not even been paid the provisional pension.

3. Mr. Tagum, learned Standing Counsel on instructions submits that the department has already forwarded the pension papers as well as the payment for arrears of salary. However, the file is now pending in the Administrative Department and same may be cleared at the earliest.

4. This Court under its order dated 25.02.2025 directed the respondents-Education Department as well as the Administrative Department to complete their instruction as regards stage of consideration of the application of the petitioner.

5. It was also noted that admittedly the file is lying in the Administrative Department and that the Administrative Department is not a party respondent. However, taking note of the issues involved, more particularly, the fact that the matter relates to a pension of a retired employee. This Court would like to implead the Administrative Department represented by Secretary, Administrative Reforms Department, Civil Secretariat, Itanagar as respondent No. 4. Registry to accordingly incorporate the name of the said Administrative Department as party respondent No. 4.

6. The learned counsel representing the Administrative Department has

obtained an instruction from the Joint Secretary which goes to show that the e-file bearing No.EED-18011/16/2024-office of DEE/ Directorate of Elementary Education is under process in the Department of Administrative Reforms Department shadow e-file No. AR-34/3/2025-ESTT-1-AR and it is submitted on instruction that the process will be completed at the earliest.

7. In view of the aforesaid consensus, this writ petition is disposed of at the motion stage itself directing the respondents, more particularly, the newly impleaded respondent No. 4 to expediate the process of the decision on the pension proposal and arrear salary, retirement gratuity and other allowances sent by the Directorate of Elementary, Education Department and complete the process within a period of 4 (four) weeks from the date of receipt of a certified copy of this order to be furnished by the petitioner before the respondent Nos. 1 & 4.

8. It is needless to say that the petitioner shall also co-operate with the Department and furnish necessary documents if they require. It is also needless to say that the Education Department being the employer shall also co-operate with the Administrative Department so the pension arrear salary, retirement gratuity and other allowances can be paid to the petitioner, if such entitlement is decided in favour of the petitioner.

With the aforesaid observation, this writ petition stands disposed of.

JUDGE

Comparing Assistant