Serial No.01
Regular List

HIGH COURT OF MEGHALAYA
AT SHILLONG

WP(C). No. 626 of 2025

Date of Decision: 29.10.2026
Uploaded on: 29.10.2026

Gita Newar, 59 years
Wife of Late C.N.Thapa @ Narayan Pradhan
Resident of House No. 95, Lokhora Road,
Near South Point School, Lutuma,
Post Office-Binova Nagar, Guwahati-781018.
District-Kamrup (Metropolitan), Assam.

…Petitioner

-Versus-

1. The State of Meghalaya represented by the
Commissioner & Secretary to the
Government of Meghalaya, Public Health Engineering
(PHE) Department, Shillong-793001, Meghalaya.

2. The Commissioner & Secretary to the
Government of Meghalaya,
Finance Department, Shillong-793001, Meghalaya.

3. The Principal Accountant General (A&E),
Government of Meghalaya, Shillong-793001, Meghalaya.

4. The Secretary,
Finance Department (Economic A\ffairs & Pension Cell)
Government of Meghalaya, Shillong-793001, Meghalaya.

5. The Chief Engineer,
Public Health Engineering (PHE) Department,
PHE Administrative Building,
Lower Lachumiere, Shillong – 793001, Meghalaya.

6. The Superintending Engineer,
Public Health Engineering (PHE) Department,
GS Circle, Shillong-793001, Meghalaya.

7. The Executive Engineer,
Public Health Engineering (PHE) Department,
GSWS Division No. II, Mawphlang,
PIN-793121, District East Khasi Hills, Meghalaya.

…Respondents

Coram:

Hon'ble Mr. Justice H.S.Thangkhiew, Judge

Appearance:

For the Petitioner/Applicant(s) : Mr. H.Das, Adv.
Mr. S.Jamal, Adv.
Ms. P. Basumatary, Adv.

For the Respondent(s) : Mr. H.Kharmih, AAG with
Ms. P.Chettri, Adv. for R 1,2,4-7.
None for R 3.

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i) Whether approved for reporting in Law Journals etc: Yes/No
ii) Whether approved for publication in press: Yes/No

JUDGMENT (ORAL):

1. The petitioner is the wife of a deceased employee who had joined his services as a Sub-Engineer Grade-II on 15-10-1980 in the Public Health Engineering (PHE) Department. His services were thereafter regularized by the Meghalaya Public Service Commission vide order dated 27-01-1982, and as per his service record was to retire from government service on 31-01-2016.

2. The prayer in the writ petition is for directions for release of family pension to the petitioner whose husband had since expired on 03-09-2020 without receiving of any terminal benefits, such as gratuity, leave salary, GPF as admissible.

3. Mr. H.Das, learned counsel for the petitioner submits that notwithstanding any other impediment, as the petitioner had long years of service and by operation of the Meghalaya Civil Services (Pension) Rules, 1983, the family pension to the heirs is a right which cannot be denied.

4. Mr. H.Kharmih, learned AAG assisted by Ms. P.Chettri, learned GA for the State respondents has submitted that though it is not disputed that the petitioner had entered service as far back as on 1980 and was on regular appointment, the reason for the delay was that the said deceased employee had handed over charge from Bajengdoba Sub-Division on 15-09-2008, and it could not be ascertained as to when he joined his new place of posting at Williamnagar, and as such, the State respondents were not in a position to immediately release the terminal benefits of the deceased employee. He however, concedes that in consideration of the long service rendered by the deceased employee, appropriate orders may be passed allowing the family pension and other terminal benefits to the petitioner for the services rendered by the deceased employee from 1980 to 2016.

5. On hearing the learned counsel for the parties and also on examination of the materials on record, as submitted by the learned AAG, it is correct that the materials indicate that the deceased employee had handed over charge at Bajengdoba Sub-Division, but however on being relieved, there is no other materials to show as to whether he had joined Williamnagar, or whether he superannuated therefrom. Apart from this fact, there are no other materials to show as to whether the respondents took positive action to ascertain the correct position, and what appears is that on 04-12-2015, the Principal Secretary, Government of Meghalaya had notified that the deceased employee (Shri. C.N.Thapa) that he was to retire from government service w.e.f. 31-01-2016.

6. In this view of the matter and as the date of superannuation has also been acknowledged, notwithstanding any other intervening circumstances, the writ petition is allowed by directing the respondents to process the case for grant of terminal benefit of the deceased employee, husband of the writ petitioner and to conclude the same within a period of four months from the date of this order.

7. With the above direction, matter accordingly stands disposed of.

Judge

Verified
Digitally signed by: SAMANTHA ANNA LIYA RYNJAH
Signed On: 29-10-2026 17:47:52 IST