

**HIGH COURT OF TRIPURA
AGARTALA
WP(C) NO.25 OF 2023**

Smt. Mandira Das

..... **Petitioner(s)**

Vs.

The Tripura University and anr.

..... **Respondent (s)**

For the Petitioner(s) : Mr. S.S. Debnath, Advocate.

For the Respondent(s) : Mr. T. Debbarma, Advocate.

Date of hearing and delivery of
Judgment & Order : 22.08.2023.

Whether fit for reporting : YES/NO

HON'BLE MR JUSTICE T. AMARNATH GOUD

JUDGMENT AND ORDER(ORAL)

This present writ petition has been filed under Article 226 of the Constitution of India and the case of the petitioner herein is that way back in the year 2013, the petitioner was engaged in service on year to year basis as a contractual worker at a monthly salary of Rs.6,000/-. Accordingly, the petitioner rendered the service till the 2020 COVID period, thereafter, she was not permitted to continue her service. Aggrieved thereby, the present writ petition has been filed.

2. Heard Mr. S.S.Dey, learned counsel appearing for the petitioner as well as Mr.T. Debbarma, learned counsel appearing for the respondents-Tripura University.

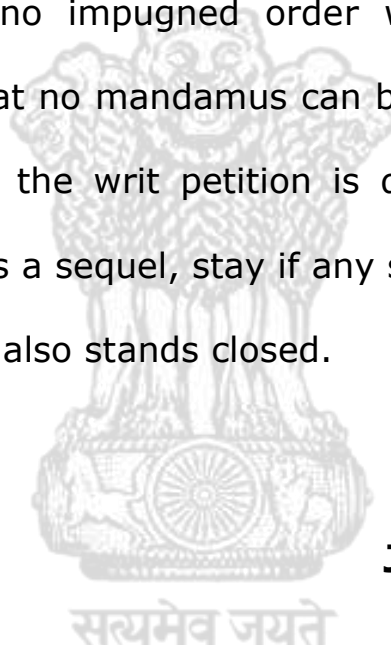
3. During the course of the argument, learned counsel appearing for the petitioner pointed out a letter addressed by Joint Secretary, Union of India vide D.O. No.M-11011/08/2020-Media dated March 20, 2020. The sum and substance of the said letter is the general observation of the Joint Secretary that in view of the crisis due to the COVID pandemic, employment should be taken care of in favour of the employees. In reference to this letter, learned counsel pressed before this Court that the discontinuation of the service of the petitioner is unjust and she should be permitted to continue in service.

4. Heard both sides and perused the evidence on record.

5. The petitioner failed to place on record the appointment orders extending the service of the petitioner from year to year. The petitioner has also not placed on record, any such information to show that her service was discontinued. To the surprise of this Court, the petitioner has placed on record, the minutes recorded amongst the Board Members of the University with their signature and office endorsement, to which, the petitioner cannot lay her hand. But to the surprise, the same is obtained, and with what methods the same has been obtained stands unexplained. When this Court asked the learned counsel appearing for the petitioner as to how the petitioner being contract labour could obtain such documents from the office of the University, there was no answer. In view of the same, this Court

has no hesitation to draw an adverse inference against the petitioner for obtaining the documents unofficially and filing them unauthorizedly and also filing the same in this writ petition. However, it is not for this Court to express any opinion and even to draw inferences without leading evidence which may not be proper. Hence, this Court is not expressing any opinion on such filing of unauthorized documents before this Court.

6. Since there is no impugned order which is under challenge, this Court finds that no mandamus can be issued in this present matter. Accordingly, the writ petition is devoid of merit and the same is dismissed. As a sequel, stay if any stands vacated. Pending application(s), if any also stands closed.



JUDGE

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