

**HIGH COURT OF TRIPURA
AGARTALA
WP(C)No.86 of 2023**

Bhupati Ranjan Bhowmik & Others

.....Petitioner(s)

Versus

The State of Tripura and Others

.....Respondent(s)

For Petitioner(s)	:	Mr. S. Bhattacharjee, Adv.
For Respondent(s)	:	Mr. K.C. Bhattacharjee, Adv. Mr. D. Sharma, Addl. G.A.

HON'BLE THE CHIEF JUSTICE (ACTING)

Order

10.02.2023

Heard Mr. S. Bhattacharjee, learned counsel appearing for the petitioners as well as Mr. D. Sharma, learned Addl. G.A. appearing for the respondents No.1 and 2 and Mr. K.C. Bhattacharjee, learned counsel appearing for the respondents No.3 and 4.

2. The petitioners are the retired employees of TRTC and their claim is that leave encashment was not paid to them. The issue for leave encashment was come for consideration before this Hon'ble High Court. The Hon'ble High Court directed the State Authorities to consider a Committee and the issue has to be settled. But that has not been complied with. The petitioners came with a contempt petition. The direction has been issued vide order dated 11.12.2019 by the Hon'ble High Court where it has been stated that insofar as the benefit of leave encashment is concerned, the petitioners

are justified in pointing out that though required under the Court's order and duly recommended by the committee, the Finance Department has not even taken the said aspect into consideration. Further, it has been stated that the decision at the first instance must come from the Government. However, in addition to the recommendation made by the specially constituted committee, this Court also request the Government to consider the said demand of the employees on sympathetic basis. This consideration shall be completed within a period of four months from the date of receipt of a copy of this order.

3. The petitioner has filed the contempt case and this Hon'ble High Court has passed a specific direction to TRTC Authority and in pursuance thereto, the sanctioned order have been issued by the TRTC on 08.12.2022 where it has been stated that expenditure sanction for an amount not exceeding Rs.1,20,840/- is hereby accorded in favour of Shri Bhuban Chandra Das, Ex-Traffic Superintendant, TRTC for the payment of leave salary for his 240 days unspent Earned Leave during his retirement on 30.04.2007. Expenditure has been sanctioned from the own resources of TRTC in accordance to order of Hon'ble High Court of Tripura on the Cont.Cas(C)No.42 of 2021.

4. According to the petitioner, earlier in the writ petition, there are three writ petitioners and the petitioners have filed the contempt case than in that Contempt Case the Hon'ble Court directed the TRTC Authority to consider the case of the petitioners. Thereafter, the TRTC have issued the

sanctioned order dated 08.12.2022. Now the petitioners herein also the similarly situated persons and they are also not getting the leave encashment benefit. The petitioner has filed the representation before the TRTC Authority to consider their case. Hence, this writ petition.

5. Having heard both sides, this court directed the respondent authorities to consider the representation of the petitioners in accordance with law within a period of three months from today.

In terms of the above, this petition is disposed of.

CHIEF JUSTICE (ACTING)



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