

**HIGH COURT OF TRIPURA
AGARTALA
WP(C) NO.120 OF 2022**

Sri Priya Lal Majumder

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

Vs.

The State of Tripura and ors.

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

For the Petitioner(s) : Ms. N. Ghosh, Advocate.

For the Respondent(s) : Mr. D. Sharma, Addl.G.A.

Date of hearing and delivery of
Judgment & Order : 26.04.2023.

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 for a direction upon the respondents to provide ACP-I to the petitioner on completion of 10 years of continuous and satisfactory service in the same post without any promotion, as Panchayat Secretary, w.e.f. 01.01.2017 with all other consequential & pensionary benefits including the arrears of pay and salary with interest @ 9% per annum. Hence the petitioner filed this present writ petition praying for the following reliefs:-

" i. Issue Rule upon the Respondents to show cause as to why writ in the nature of mandamus and/or Order or direction shall not be issued where by directing the Respondents to provide ACP-I to the petitioner on completion of 10 years continuous and satisfactory service in the same post without any promotion, as panchayat secretary w.e.f. 01.01.2017 with all other consequential & pensionary benefits including the arrear of pay and salary with interest @ Rs. 9% per annum.

ii. Issue Rule upon the Respondents to show cause as to why Writ in the nature of mandamus and/or Order or direction shall not be issued where by directing the Respondents to give one yearly increment which is due from 2019 which has not been provided to the petitioner.

iii. Issue Rule upon the Respondents to show cause as to why Writ in the nature of mandamus and/or Order or direction shall not be issued where by Directing the Respondents that monthly pension, gratuity, leave encashment benefit and other benefits, which became admissible to the petitioner on his retirement & has been paid are required to be re-determined after giving the benefit of ACP-I and one increment to the petitioner and rest amount is to be paid to the petitioner with interest.

iii. Make the rules absolute.

iv. Call for the records.

v. Pass any further order/orders as this Hon'ble High Court considered fit and proper."

2. Heard Ms. N. Ghosh, learned counsel appearing for the petitioner as well as Mr. D. Sharma, learned Addl. G.A. appearing for the respondents.

3. It is seen from the record that the petitioner has submitted several representations dated 07.10.2021, 08.11.2021, and 07.12.2021 before the respondent-Block Development Officer, Boxanagar ventilating his grievance but the same did not yield any result.

4. In view of the same, without expressing any opinion on the merits of the case, this present writ petition is disposed of with a direction upon the respondents to decide the representations made by the petitioner seeking to settle his

terminal benefit within a period of 3(three) months from the date of receipt of the copy of this order.

5. With this observation and direction, this present writ petition stands disposed of. As a sequel, stay if any stands vacated. Pending application(s), if any, also stands closed.

JUDGE

suhanjit

