

**HIGH COURT OF TRIPURA
AGARTALA
WP(C) 138/2023**

Sri Uttam Paul

----Petitioner(s)

Versus

The State of Tripura and 4 ors.

----Respondent(s)

For Petitioner(s)	:	Mr. A. Bhaumik, Advocate
For Respondent(s)	:	Mr. N. Majumder, Advocate
		Mr. D. Sarma, Addl. GA

**HON'BLE MR. JUSTICE ARINDAM LODH
Order**

07/07/2023

Heard Mr. A. Bhaumik, learned counsel for the petitioner. Also heard Mr. N. Majumder, learned counsel appearing for the respondents-TSECL and Mr. D. Sarma, learned Additional GA appearing for the respondent-State.

The petitioner has claimed regularization of his service under the respondents. It is the case of the petitioner that he was engaged as Part Time worker since 01.02.1996, which is revealed from a communication dated 02.06.2001 (Annexure 1 to the writ petition). It is the further case of the petitioner that he is eligible for regularization as Full Time Worker since he has completed 10 years of his service under the respondents-TSECL.

Mr. A. Bhowmik, learned counsel for the petitioner has relied upon a memorandum dated 21.01.2009 (Annexure 9 to the writ petition), wherein the Government of Tripura had taken a policy decision to regularize the services of DRWs/Casual/Contingent workers on the next

date of completion of ten years of service. During continuation of his service as Part Time worker for the last several years, the petitioner has submitted representations to regularize his service, but till today it has not been addressed to.

Mr. N. Majumder, learned counsel appearing for the respondents-TSECL has submitted that the said policy vide memorandum dated 21.01.2009 has been repealed by the Government of Tripura in the year 2018. For this reason, at present there is no policy to regularize the services of such DRWs/Casual/Contingent workers.

I have considered the submissions of learned counsel appearing for the parties.

In my opinion, the right of the petitioner was accrued during existence of the policy decision of the Government of Tripura vide memorandum dated 21.01.2009, when he had completed ten years of service as Part Time worker under the respondents-TSECL. I have also taken into consideration the fact that neither in the pleadings nor in the submissions, learned counsel appearing for the petitioner could justify that there is any sanctioned vacant post under the respondents-TSECL to absorb the petitioner in the said post which he holds at present. Further, during existence of the policy decision of the Government, the petitioner did not approach this court claiming his regularization. The petitioner only submitted representations before the respondents claiming his

regularization. It is no more *res integra* that repeated submission of representations will give rise to any new cause of action. Moreso, it is settled that none can claim regularization as a matter of right. It is a right, which may be considered in the realm of government policies.

Added to it, the instant writ petition badly suffers from the established doctrine of delay and laches as all on a sudden after elapse of over 17 years, he woke up from the slumber and has ventilated his grievance by filing the writ petition. For the last 17 years, the petitioner preferred to sleep and he was not at all diligent in pursuing his case.

In the backdrop of aforesaid situation, the instant writ petition deserves no merit and, accordingly stands dismissed.

JUDGE

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