

**HIGH COURT OF TRIPURA
AGARTALA
WP(C) NO.167 OF 2023**

Smt. Surekha Debbarma and ors.
Vs.
The State of Tripura and ors.

HON'BLE THE CHIEF JUSTICE (ACTING)

Present:

For the Petitioner(s) : Mr. A. Bhowmik, Advocate.
Mr. S. Dey, Advocate.
For the Respondent(s) : Mr. D. Sharma, Addl. G.A.

24.03.2023

Order

This present writ petition is filed under Article 226 of the Constitution of India praying for the following reliefs:-

- " i) Issue notice upon the Respondents.
ii) Call for the records.

iii) Issue Rule calling upon the respondents to show cause as to why the Petitioners No.1, 4, 5, 6 & 7 shall not be given the benefit of one increment as per Rule 13(1), (ii) of the Tripura States Civil Services (Revised Pay) Rules, 2009 alongwith arrears of financial benefit.

AND.

Issue Rule calling upon the respondents to show cause as to why the petitioners No.2 & 3 shall not be given the benefit of one increment as per Rule 13(1)(v) of the Tripura States Civil Services (Revised Pay) Rules, 2009 along with arrears of financial benefit.

AND

Issue Rules calling upon the Respondents to show cause as to why the memorandum dated 6th July, 2011 issued by the Finance Department Government of Tripura shall not be set aside and quashed.

AND

Issue Rule calling upon the Respondents to show cause as to why the Petitioners No.1, 4, 5, 6 and 7 shall not be granted all financial benefits as per the Judgment and order dated 19th March 2021 passed in WP(C) No.703 of 2019 by this Hon'ble High Court as upheld by the Ld. Division Bench in W.A. No.207 of 2021.

AND

Issue Rule calling upon the Respondents to show cause as to why the Petitioners No.2 and 3 shall not be granted all benefits in terms of the Judgment and Order dated 19.01.2022 passed in WP(C) No.602 of 2021 as upheld by the Ld. Division Bench vide Judgment and

order dated 06.12.2022 passed in W.A. No.309 of 2022 and other batch matters.

And after hearing the parties, be pleased to make the rule absolute.

AND/OR

Pass any other order/orders as deemed fit and proper by this Hon'ble Court."

Heard Mr. A. Bhaumik, learned counsel appearing for the petitioners as well as Mr. D. Sharma, learned Addl. G.A. appearing for the respondents and perused the evidence on record.

Mr. A. Bhaumik, learned counsel appearing for the petitioners seeks to withdraw this writ petition in so far as petitioners No.2 & 3 herein is concerned with a liberty to file it afresh. Accordingly, this writ petition is dismissed against petitioners No.2 & 3 with the liberty to avail remedies under the law.

In so far as petitioners No.1, 4, 5, 6 and 7 of this present writ petition is concerned, it is agreed by both sides that the subject matter involved in this writ petition is covered by the Order passed by the Single Bench of this Court in *WP(C) No.703 of 2019* dated 19.03.2021 i.e. *Annexure-24 to this Writ Petition*, which was subsequently confirmed vide order dated 06.12.2022 passed in *W.A. No.207 of 2021* and anr., matter i.e. *Annexure-25 to this Writ Petition* by the Division Bench of this Court.

In view of the same, this present writ petition is accordingly allowed for petitioners No. 1, 4, 5, 6 and 7 in the terms stated herein above. Registry shall enclose the order copies of *WP(C) No.703 of 2019* dated 19.03.2021 i.e. *Annexure-24 to this Writ Petition* and order dated 06.12.2022 passed in *W.A. No.207 of 2021* and anr., matter i.e. *Annexure-25 to this Writ Petition* along with this order.

As a sequel stay if any stands vacated and pending application(s), if any, stands closed.

CHIEF JUSTICE (ACTING)

suhanjit

