

**HIGH COURT OF TRIPURA
AGARTALA
WP(C) NO.263 OF 2022**

DR. Deepa Ghosh

.....Petitioner(s)

Vs.

The State of Tripura and ors.

.....Respondent(s)

For the Petitioner(s) : Mr. S. Bhattacharjee, Advocate.
Mr. K. Nath, Advocate.

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

Date of hearing and delivery of
Judgment & Order : 11.04.2023.

Whether fit for reporting : YES/NO.

HON'BLE THE CHIEF JUSTICE (ACTING)

JUDGMENT AND ORDER(ORAL)

The present writ petition has been filed under Section 226 of the Constitution of India seeking the following reliefs:-

"i. Issue Rule upon the Respondents to show cause as to why a writ in the nature of Mandamus and/or order/orders, direction/directions of like nature shall not be issued whereby directing the Respondents to allow the petitioner the benefit of movement in higher Academic Grade pay from Rs.8000/- to 9000/- in the pay band of Rs.37,400/-- Rs.67,000/- under CAS w.e.f. 24.10.2020, with consequential incidental/ancillary benefit including financial benefit.

ii. Issue Rule upon the Respondents to show cause as to why a writ in the nature of Mandamus and/or order/orders, direction/directions of like nature shall not be issued whereby directing the respondents to allow the petitioner to benefit of movement in higher Academic Grade Pay from Rs.7000/- to 8000/- in the pay band of Rs. 15,600/- Rs. 39,100/- under CAS w.e.f. 24.10.2007, with consequential incidental/ancillary benefit including financial benefit.

iii. Issue Rule upon the Respondents to show cause as to why a writ in the nature of Mandamus and/or order/orders, direction/directions of like nature shall not be issued whereby directing the Respondents to allow the petitioner the scale of Assistant Professor (Senior Scale) in the pay band of Rs.10,000/- 15,200/- w.e.f. 24.10.2002.

iv. Issue Rule upon the Respondents to show cause as to why a writ in the nature of Mandamus and/or order/orders, direction/directions of like nature shall not be issued whereby directing the respondents to modify the notification, dated 18.05.2013 issued by the Under Secretary to the Govt. of Tripura, Education (Higher) Department, wherein the benefit of movement in higher Academic Grade pay from Rs.8000/- to 9000/- in the pay band of Rs.37,400/- Rs.67,000/- under CAS III was given to the petitioner w.e.f. 24.10.2012 instead of 24.10.2010, with consequential incidental/ancillary benefit including financial benefit.

v. Issue Rule upon the Respondents to show cause as to why a writ in the nature of Mandamus and/or order/orders, direction/directions of like nature shall not be issued whereby directing the respondents to modify the notification, dated, 18.05.2013, issued by the Under Secretary to the Govt. of Tripura, Education(Higher Department), wherein the benefit of movement in higher Academic Grade Pay from Rs.7000/- to Rs.8000/- in the pay band of Rs.15,600/- Rs.39,100/- under CAS II was given to the petitioner w.e.f. 24.10.2009 instead of 24.10.2007, with consequential incidental/ancillary benefit including financial benefit.

vi. Issue Rule upon the Respondents to show cause as to why a writ in the nature of Mandamus and/or order/orders, direction/directions of like nature shall not be issued whereby directing the Respondents to modify the notification, dated, 15.12.2007, issued by the Under Secretary to the Govt. of Tripura, Education (Higher) Department, wherein the petitioner had been placed in the scale of Assistant Professor(Senior Scale) in the pay band of Rs.10,000/- 15,200/- w.e.f. 24.10.2004 instead of 24.10.2002.

vii. Call for the records pertaining to the instant writ petition from the custody of the respondents.

viii. Make the Rules absolute after hearing the parties."

2. Heard Mr. P. Roy Barman, learned Sr. counsel assisted by Mr. K. Nath, learned counsel appearing for the petitioner as well as Mr. D. Sharma, learned Addl.G.A. appearing for the respondents.

3. It is submitted by Mr. P. Roy Barman, learned Sr. counsel appearing for the petitioner that his client has submitted several representations agitating his grievance but the same has not been considered. Learned Sr. counsel further submits that his case is

covered by Judgment and Order dated 19.01.2022 passed by this Court in WP(C) No.69 of 2021.

4. It is seen from the record that the petitioner has submitted several representations dated 16.05.2018, 28.03.2019, and 27.09.2019 but the same did not evoke any response from the respondents.

5. Hence, this present writ petition disposed of directing the respondents to consider the representations submitted by the petitioner within a period of 3(three) months from the date of receipt of the copy of this order in accordance with law and also in the light of the Judgment and Order dated 19.01.2022 passed in WP(C) No.69/2021 if the same is applicable.

6. With the above observation and direction, this present writ petition is disposed of. Stay if any stands vacated. Pending application(s), if any also stand closed.

CHIEF JUSTICE (ACTING)

सत्यमेव जयते