

**HIGH COURT OF TRIPURA  
AGARTALA**

WP(C) No.267 of 2023

**Sri Nepal Malakar**

S/O- Jatindra Malakar, R/O:1/96, Ward no.-01, Kailashahar, North Tripura,  
Pin-799277

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

**Versus**

**1. The State of Tripura**

to be represented by the Secretary, Department of Home affairs,  
Govt. of Tripura, New Secretariat complex,  
New Capital Complex, Agartala, West Tripura, Pin-799010.

**2. The Director General of Police**

Govt. of Tripura, Agartala, West Tripura.

**3. The Superintendent of Police**

Unakoti District, Kailashahar, Tripura

**4. The Secretary,**

Department of Finance, Government of Tripura,  
new Secretariat Building, New Capital Complex,  
Kunjaban, P.S. New Capital Complex, jAgartala,  
West Tripura, Pin-799010

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

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For the Petitioner(s) : Ms. S. Paul, Advocate

For the Respondent(s) : Mr. D. C. Saha, Advocate

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

**Order**

**06/09/2023**

Heard Ms. S. Paul, learned counsel appearing for the petitioner. Also heard Mr. D. C. Saha, learned counsel appearing for the respondents-State.

This is a petition for regularization of the service of the petitioner.

It is the case of the petitioner that he joined in service as Contingent worker in the year 2000 and since after his joining as Contingent worker, he has been serving in the said post.

The petitioner has relied upon certain schemes made by the Government of Tripura for regularization of the services of DRWs/Casual/Contingent/ PTW etc which have been repealed under order dated 31.07.2018 issued by the State.

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

After perusal of the documents enclosed in the writ petition, I find that the petitioner has failed to justify that he had been appointed against a regular sanctioned vacant post. Even the petitioner has not produced any document to show that he was appointed by the competent authority of the respondents. Simply, he has been appointed by an officer of the department. There is no evidence that the petitioner had possessed the requisite qualifications for holding any post as Group-D. The scheme says that the persons who were engaged as DRWs/Casual/ Contingent/ PTW, etc, would be regularized on completion of their 10 years of service as on 31.03.2008. The petitioner had joined in service in the year 2000. So, he had not completed his service within the said cut-off date. Moreso, the petitioner had been appointed illegally without following the procedure prevalent at that time. So, he must approach the court with the realm of the scheme and within the existence of the scheme. The delayed approach and lackadaisical attitude of the petitioner would not entail him to get the benefit of a repealed scheme. After 23 years, suddenly he woke up from the slumber.

This Court in **WP(C) No.5 of 2023** titled as **Sri Satya Ranjan Dey and Anr. Vs. The State of Tripura and 4 Ors.** decided on 06.09.2023 had passed a detailed order referring many judgments of the Supreme Court and held that the petitioners of that writ petition were not entitled to get their services regularized and dismissed the writ petition.

Accordingly, I do not find any merit in the present writ petition and the same stands dismissed.

**JUDGE**

SAIKA  
T KAR

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by SAIKAT KAR  
Date: 2023.09.11  
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Rohit