

**HIGH COURT OF TRIPURA
AGARTALA**

WP(C) No.466 of 2022

- 1. Smt. Namita Debnath,**
W/o: Sri Babul Das,
R/o: Vill-Datta Para, P.S.-Jogendranagar,
Agartala, West Tripura, Age-49 years.
- 2. Smt. Sipra Acharjee,**
W/o: Santi Acharjee,
R/o: Vill-Jogendranagar, Bankumari,
Agartala, West Tripura, Age-47 years.
- 3. Smt. Archana Bhowmik,**
W/o: Dulal Saha,
R/o: Vill-Sankar Palli, Amarpur,
Gomati Tripura, Age-53 years .
- 4. Smt. Rita Debnath,**
W/o: Nema Debnath,
R/o: Vill-Champamura,
P.O-Old Agartala, West Tripura, Age-43 years.
- 5. Smt. Laxmi Sutradhar,**
W/o: Gopal Sutradhar,
R/o: Village-Kali Tilla, Bhattapukur,
P.O-A.D. Nagar, Agartala, West Tripura, Age-53 years.
- 6. Smt. Aruna Bhowmik(Roy),**
W/o: Manoranjan Bhowmik,
R/o: Vill-Madhupur, I.C. Nagar, Agartala,
West Tripura, Age-54 years.
- 7. Smt. Gouri Dey,**
D/o: Haridhan Dey,
R/o: Vill-79 Tilla, G.B. Bazar,
Agartala, West Tripura, Age-42 years.
- 8. Smt. Kanan Majumder,**
W/o: Gopal Majumder, Vill & P.O-Jogendranagar,
Agartala, West Tripura, Age-48 years.
- 9. Sri Madhu Debnath,**
S/o: Late Nagendra Debnath,
R/o: Vill-Nowagaon, P.O.-Ranirbazar,
West Tripura, Age-51 years.
- 10. Smt. Pramila Sarkar,**
W/o: Sankar Sarkar,
R/o: Vill-Bhati Abhoynagar,
Agartala, West Tripura, Age-51 years.

....Petitioner(s)

Versus

- 1. The State of Tripura**
(To be represented by) the Secretary,
Health Department, Govt. of Tripura, New Capital
Complex, New Secretariat Building, Agartala, West
Tripura, PIN-799001

2. The Director of Health Services,
Govt. of Tripura, P.N Complex, Agartala, West Tripura

3. The Secretary,
Finance Department, Govt. of Tripura, New Capital
Complex, New Secretariat Building, Agartala, West
Tripura, PIN-799001

....Respondent(s)

For the Petitioner(s)	:	Mr. P. Roy Barman, Sr. Advocate Mr. K. Nath, Advocate
For the Respondent(s)	:	Mr. D. Bhattacharya, GA Mr. Soumyadeep Saha, Advocate
Date of hearing and delivery of judgment & order	:	06.07.2023
Whether fit for reporting	:	No

HON'BLE MR. JUSTICE ARINDAM LODH

Judgment & Order (Oral)

Heard Mr. P. Roy Barman, learned senior counsel assisted by Mr. K. Nath, learned counsel appearing for the petitioners. Also heard Mr. D. Bhattacharya, learned GA assisted by Mr. Soumyadeep Saha, learned counsel appearing for the respondents-State.

2. The petitioners have claimed for regularization of their services under the respondents. It is the case of the petitioners that they initially joined as Slip Workers and were getting their wages on per day basis till 31.12.2009. Thereafter, the petitioners were declared as Casual Workers w.e.f. 01.01.2010 vide Memorandum dated 30.03.2010 issued by the Director of Health Service, Govt. of Tripura(Annexure-15 to the writ petition).

3. Mr. Roy Barman, learned senior counsel for the petitioner has submitted that since joining all the petitioners have been discharging their duties and responsibilities of Group-D employees though they were not being paid the minimum pay scale of Group-D employee. Mr. Roy Barman, learned senior counsel has relied upon a Memorandum dated 01.09.2008(Annexure-

16 to the writ petition), wherein the Government of Tripura had taken a policy decision to regularize the service of DRWs/Casual/Contingent workers on the next date of completion of ten years of service.

5. Mr. Bhattacharya, learned GA appearing for the respondents has submitted that the said policy decision issued vide Memorandum dated 01.09.2008 has been repealed by the Government of Tripura in the year 2018 and at present there is no policy for regularization of the service of such DRWs/Casual/Contingent workers.

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

In my opinion, the petitioners have completed 10 years of service in the year 2020 when no scheme for regularization exists.

In the above conspectus, I find no merit in the present writ petition. However, the respondents may consider their prayer for regularization keeping in mind that the petitioners have rendered their valuable service for considerable period of time subject to availability of sanctioned vacant posts commensurate to their education qualifications.

Accordingly, the instant writ petition stands dismissed in the above terms.

JUDGE