

**HIGH COURT OF TRIPURA
AGARTALA**

WP(C) 415 of 2023

Smt. Anusri Debi

---Petitioner(s)

Versus

The State of Tripura and 3 Ors.

---Respondent(s)

For Petitioner(s)	: Ms. R. Guha, Adv.
For Respondent(s)	: Mr. M. Debbarma, Addl. GA.

HON'BLE MR. JUSTICE T. AMARNATH GOUD

ORDER

06.07.2023

Heard Ms. R. Guha, learned counsel appearing for the petitioner as well as Mr. M. Debbarma, learned Addl. GA appearing for the respondents.

This is an application under Article 226 of the Constitution of India.

This is the case of the petitioner that on 08.06.2011, the father of the petitioner passed away while performing his regular job under the Government of Tripura. The petitioner on attaining her majority applied for the job under compassionate grounds of the die-in-harness scheme on 09.07.2018 of the Tripura Government. Thereafter, on 23.11.2018 of the Tripura Government. Thereafter, on 23.11.2022, the petitioner herein filed Writ Petition No.WP(C)1013 of 2022. The Hon'ble High Court disposed of the matter by the judgment and order dated 04.05.2023. Abiding by the judgment and order dated 14.05.2023, the respondent No.3 considered the application of the petitioner and rejected the same by a letter no.F.34.(992)-DSWE/LA/2022/1399(3) dated 09.06.2023 and the same was received by the petitioner on 14.06.2023.

Aggrieved by the said action of the respondents, the petitioner herein as approached before this court seeking the following reliefs:

1. *Issue Notice,*
2. *Admit the instant petition*
3. *Issue Rule NISI*
4. *Issue Rule calling upon all the respondents and each one of them, to show cause as to why a Writ of Mandamus and/or in the nature thereof, shall not be issued, of mandating/directing the, to appoint the petitioner on compassionate ground under the Die-in-harness scheme.*
5. *Issue Rue, calling upon all the respondents and each one of them, to show cause as to why a Writ of Certiorari and/or in the nature thereof, shall not be issued for directing the, to set aside and/or quash, rejection letter No.F34(992)-DSWE/LA/2022/1399 dated 09.06.2023 issued by Respondent No.2.*
6. *Issue Rule calling upon all the respondents and each one of them, to show cause as to why a Writ of Certiorari and/or in the nature thereof, shall not be issued, for directing them, to call for all the relevant record and/or documents in connection of the instant matter.*

7. *Cost of and incidental to this proceeding may be directed to be borne by all the respondents.*
8. *Any other order(s), direction(s), may be given as the Hon'ble High Court may deem fit and proper for the benefit of conscionable justice.*

After perusing the entire record, this court is of the view that the impugned letter dated 09.06.2023 vide no.F.34(992)-DSWE/LA/2022/1399(3) rejecting the prayer of the petitioner for compassionate appointment under Die-in-harness Scheme appears just and proper. Hence, the present writ petition is liable to be dismissed. The letter dated 09.06.2023 clearly indicates that claim for employment under Die-in-harness cases should be preferred within 1(one) year after the death of the government servant. But the petitioner made application for employment under the said scheme after 7(seven) years of death of her father. Therefore, no relief could be extended by the respondents to the petitioner.

With the above observation and direction, this present writ petition stands dismissed and disposed of. As a sequel, stay if any stands vacated. Pending application(s), if any also stands closed.

JUDGE

Dipak

DIPAK DAS Digitally signed by DIPAK DAS
Date: 2023.07.07 15:36:54
+05'30'