

HIGH COURT OF TRIPURA

_A_G_A_R_T_A_L_A_

WP(C) No.530 of 2022

For Petitioner(s)	:	Mr. P. Roy Barman, Sr. Advocate. Ms. A. Debbarma, Advocate.
For Respondent(s)	:	Mr. K. De, Addl. G.A. Mr. P. Gautam, Advocate.

HON'BLE MR. JUSTICE T. AMARNATH GOUD

_O_R_D_E_R_

25/04/2023

Heard Mr. P. Roy Barman, learned senior counsel assisted by Ms. A. Debbarma, learned counsel appearing for the petitioner. Also heard Mr. K. De, learned Addl. G.A. and Mr. P. Gautam, learned counsel appearing for the respondents.

This petition has been filed under Article-226 of the Constitution of India seeking a writ of mandamus directing the respondents for quashing the impugned letter dated 30.03.2022 issued by the Managing Director, Tripura Jute Mills Limited and also declaring the petitioner is entitled to be in service till 31.03.2025 i.e. up to the date of attaining the age of superannuation i.e. 60 years.

The petitioner has prayed for the following reliefs:

- i. Pass an *ad interim* order staying the operation of the letter dated 30.03.2022 issued by the Managing Director, Tripura Jute Mills Limited and directing the respondents to allow the petitioner to resume his duty with immediate effect as a worker (Welder) under the respondents.
- ii. Issue rule upon the respondents to show cause as to why a writ in the nature of mandamus and/or order/orders and/or direction/direction of like nature shall not be issued whereby quashing the impugned letter dated 30.03.2022, issued by the Managing Director, Tripura Jute Mills Limited.
- iii. Issue rule upon the respondents to show cause as to why a writ in the nature of mandamus and/or order/orders and/or direction/direction of like nature shall not be issued whereby declaring that the petitioner is entitled to be in service till 31.03.2025 i.e. up to the date of attaining the age of superannuation i.e. 60 years.

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

v. Make the rules absolute after hearing the parties.”

The case of the petitioner is that the petitioner has challenged the impugned letter dated 30.03.2022 issued by the Managing Director, Tripura Jute Mills Limited by which the petitioner has been illegally deemed to have retired from service on and with effect from 31.01.2022. The petitioner is entitled to be in service till completion of 60 years of age i.e. up to 31.03.2025 till completion of 60 years of age.

Hence, the present petition has been preferred by the petitioner before this Court for redress.

In view of above, without expressing any opinion on merits, the present petition stands disposed of directing the respondents to consider the case of the petitioner in the light of the representation dated 26.05.2022 made by the petitioner before the respondent in accordance with law within a period of one month from the date of receipt of the copy of this order.

In the result, the present petition stands disposed of. As a sequel, miscellaneous applications pending, if any, shall stand closed.

JUDGE

A. Ghosh