

HIGH COURT OF TRIPURA
_A_G_A_R_T_A_L_A_
WP(C) No.604 of 2022

Sri Pranajit Paul

.....Petitioners

V_E_R_S_U_S

The State of Tripura & 3 Others.

.....Respondents

For Petitioner(s)	:	Mr. Somik Deb, Sr. Advocate. Mr. K. Debnath, Advocate.
For Respondent(s)	:	Mr. D. Bhattacharjee, G.A. Mr. D. Sarkar, Advocate.

HON'BLE MR. JUSTICE T. AMARNATH GOUD
_O_R_D_E_R_

02/05/2023

Heard Mr. Somik Deb, learned senior counsel assisted by Mr. K. Debnath, learned counsel appearing for the petitioner. Also heard Mr. D. Bhattacharjee, learned G.A. and Mr. D. Sarkar, learned counsel appearing for the respondents.

This petition has been filed under Article-226 of the Constitution of India directing the respondents to forthwith accord compassionate appointment in favour of the petitioner, under the Die-in-harness Scheme.

The petitioner has prayed for the following reliefs:

- i. Issue rule calling upon 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 transmit the records, relevant to the subject matter of this writ petition for rendering substantive and conscionable justice to the petitioner.
- ii. Issue rule calling upon the respondents and each one of them to show cause as to why the writ of mandamus and/or in the nature thereof, shall not be issued for mandating/directing them, to forthwith accord compassionate appointment in favour of the petitioner, under the Die-in-harness scheme.
- iii. Call for the records appertaining to this petition.

iv. After hearing the parties, be pleased to make the rule absolute in terms of i. & ii. above.”

The father of the petitioner, namely, Pradip Ranjan Paul (now deceased) was an employee under the Education Department, Govt. of Tripura who had joined as an Assistant Teacher in the year 1989. On 15.09.2013, the father of the petitioner died while in service, leaving behind his wife, namely, Sri Pranajit Paul and Sri Satyajit Paul. Pursuant thereto, a death certificate dated 27.09.2013 was issued by the Registrar of Births and Death, AGMC & GBP Hospital, Agartala.

Thereafter, in furtherance of the prayer made by Smt. Tulshi Rani Shil (Paul), wife of late Pradip Ranjan Paul, the Sub-Divisional Magistrate, Udaipur Gomati Tripura issued a survival certificate dated 25.01.2014 inter alia noting that deceased died leaving behind three survivors in his family. The Inspector of Schools, Directorate of School Education, Udaipur, Gomati Tripura issued a memorandum dated 07.02.2014. the Inspector of Schools subsequently issued another memorandum dated 07.02.2014, whereby provisional Death Gratuity, amounting to Rs.2,32,203/- i.e. the full gratuity of Rs.3,10,270/- was sanctioned, in favour of Sri Tulshi Rani Shil (Paul).

The Inspector of Schools issued a further memorandum dated 07.02.2014 thereby sanctioning provisional death payment of pension in favour of Smti. Tulshi Rani Shil (Paul) wife of late Pradip Ranjan Paul. In this context, it is apposite to mention here that at the time of the death of the father of the petitioner, the petitioner was a minor and the mother of the petitioner was also not in a position to apply for a job on compassionate grounds. In such view of the matter, the petitioner has submitted a representation to the Director of School Education, Udaipur, Gomati Tripura on 04.07.2022 seeking job under Die-in-Harness Scheme, but the same did not evoke any response.

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

Having observed thus, without expressing any opinion on merits, the present writ petition stands disposed of directing the respondents to

consider the case of the petitioner more particularly, in the light of the representation dated 04.07.2022 submitted by the petitioner before the respondent. However, liberty is given to the petitioner that in respect of his claim the petitioner may submit all relevant documents and information before the respondents and thereafter, the respondents shall take a decision as expeditiously as possible on this issue in accordance with law preferably within a period of three month from the date of receipt of this order.

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

JUDGE

A. Ghosh



सत्यमेव जयते