

**HIGH COURT OF TRIPURA
AGARTALA
WP(C) NO.573 OF 2023**

Sri Mrinal Paul[RFN(GD)02030558]

Vs.

The State of Tripura and anr

HON'BLE MR. JUSTICE T. AMARNATH GOUD

Present:

For the Petitioner(s) : Mr. Arnab Roy, Advocate.

For the Respondent(s) : None.

13.09.2023

Order

This present petition has been filed under Article 226 of the Constitution of India seeking the following reliefs:-

" Issue notice upon the respondents.

AND

Call for relevant records.

AND

Issue Rule calling upon the respondents to show cause as to why a writ of mandamus and/or other writ/writs or order/orders shall not be issued directly. The respondents to provide the employment as the termination was unlawful

AND

After hearing the parties further be please to make the Rule absolute.

Pass such further order and/or direction as your Lordship may deem fit and proper for the ends and in the interest of justice."

The brief facts of the case of the petitioner Sri Mrinal Paul Rfn(GD) 02030558 is that in 2009 while performing his duty, he suddenly fell down and suffered severe injuries, he got medically treated as prescribed by the Commandant D Coy, 1st BN TSR. After the treatment, a few months later, the petitioner tried to perform his duties in the 1st BN TSR but as the pain in the left leg became severe, and attending Doctor

referred the petitioner to the Medical Board and he was referred for treatment outside the state. He was treated for his injuries at SSK(PG) Hospital Kolkata and in GAMMA CENTAURIAL HEALTH CARE PRIVATE LIMITED(AMRI) Kolkata. After the treatment, he recovered well but as again he tried to join his duties, his injuries resurfaced. A day before 9th February 2012, the Commandant 1st Battalion Khatra Joy Reang did a face-to-face hearing and forced the petitioner to unwillingly write a resignation letter. After the said event, the petitioner was forced to leave the campus of 1st BN TSR and on 29th February 2012, the petitioner got the termination letter. After that, the petitioner gave Advocate notice to the 1st Battalion TSR on 13.10.2022 but the petitioner was not satisfied with the reply. So the petitioner has filed this present writ petition before this Court seeking the above-mentioned reliefs.

Today this matter came up before this Court in the motion stage and heard Mr. A. Roy, learned counsel appearing for the petitioner.

It is evident from the record that the petitioner got his injuries in 2009 and he received the termination letter way back on 29th February 2012 and he filed this writ petition in year 2023. Further, he sent the Advocate notice to the respondent in year 2022. So this petition clearly suffers from

delay and laches as there is a delay of about 12 years in filing this writ petition. As such, this present writ petition is dismissed due to delay and laches on the part of the petitioner.

As a sequel, stay if any stands vacated. Pending application(s), if any also stands closed.

JUDGE

suhanjit

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