HIGH COURT OF TRIPURA
AGARTALA

WP(C) 575 of 2023

Sri Billal Majumder ..... Petitioner(s)

Versus

State of Tripura and 4 others ..... Respondent(s)

For Petitioner(s)	:	Mr. Koomar Chakraborty, Advocate. Mr. Dipjyoti Paul, Advocate.
For Respondent(s)	:	Mr. Bidyut Majumder, Dy. SGI. Mr. AK Deb, Advocate.

HON'BLE MR. JUSTICE T. AMARNATH GOUD

O R D E R

14.09.2023

This is a petition under Article 226 of the Constitution of India filed by the petitioner.

[2] The petitioner has approached this court 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 Mandamus and/or in the nature thereof, shall not be issued, mandating/directing them to revoke/rescind the impugned Letter dated 18.05.2023.

(ii) Issue Rule, calling upon 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, mandating/directing them, not to recover any amount, either from the pensionary benefits of the Petitioner, or from his monthly pension, on account of the alleged excess payment;

(iii) Issue Rule, calling upon 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, mandating/directing them, to release the remaining Gratuity amount (amounting to Rs.2.5 lacs), the entire Commuted Value of Pension, and any other outstanding pensionary benefits, alongwith Interest thereon (due to belated payment thereof), in favour of the Petitioner;

[3] Heard learned counsel appearing for the parties.

[4] The impugned proceeding dated 18.05.2023 which is under challenge is only an internal communication between the respondent-

departments and it is not an order in finality and the signatory to the said letter is only seeking a reply from the addressee. Even before any reply is given and any order has been passed or the decision is communicated to the petitioner, the petitioner has hurriedly approached this Court by filing the instant petition under Article 226 of the Constitution of India. Since there is no impugned proceeding affecting the petitioner, this Court feels that it is a premature stage of filing the writ petition. Hence, the present petition is liable to be dismissed.

[5] However, Mr. Koomar Chakraborty, learned counsel for the petitioner submits that a representation has been made on 20th July 2023 by the petitioner which is pending for consideration before the respondent No.3.

[6] In view of the above, without expressing any opinion on merits of this case, the present writ petition stands disposed of directing the concerned respondent(s) to consider the case of the petitioner in the light of his representation submitted on 20th July, 2023 in accordance with law within a period of 3(three) months from the date of receipt of the copy of this order.

[7] Accordingly, present petition stands disposed of. As a sequel, miscellaneous application pending, if any, shall stand closed.

JUDGE

HIGH COURT OF TRIPURA
सत्यमेव जयते

Sabyasachi G.

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