HIGH COURT OF TRIPURA
_A_G_A_R_T_A_L_A_

WP(C) No.763 of 2022

Shri Dhananjoy Datta

.....Petitioner

V_E_R_S_U_S

The State of Tripura & 10 Others.

.....Respondents

For Petitioner(s)	:	Mr. K. Pandey, Advocate.
For Respondent(s)	:	Mr. D. Bhattacharjee, G.A. Mr. R. G. Chakraborty, Advocate.

HON'BLE MR. JUSTICE T. AMARNATH GOUD

_O_ R_ D_ E_ R_

27/04/2023

Heard Mr. K. Pandey, learned counsel appearing for the petitioner. Also heard Mr. D. Bhattacharjee, learned G.A., and Mr. R.G. Chakraborty, learned counsel appearing for the respondents.

This petition has been filed under Article-226 of the Constitution of India directing the respondents to allow Grade Pay of Rs.1800/- instead of pay Rs.1700/- w.e.f. 28.05.2011 to 31.12.2016 and Grade Pay of Rs.2,400/- instead of Rs.2,200/- w.e.f. 01.01.2017 to till date along with consequential benefit including arrears along with statutory interest to the petitioner.

The petitioner has prayed for the following reliefs:

> "It is, therefore, humbly prayed that your Lordships would be graciously pleased to issue rule upon the respondents to show cause as to why a writ in the nature of mandamus directing the State respondents to allow the Grade pay of Rs. 1800/- instead of pay Rs.1700/- w.e.f. 28.05.2011 to 31.12.2016 and Grade Pay of Rs.2,400/- instead of Rs.2,200/- w.e.f. 01.01.2017 to till date along with consequential benefit including arrears along with statutory interest to the petitioner.
>
> AND
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> As to why such other order/orders should not be passed so as to give full relief to the petitioner, and, upon causes shown, to make the rule absolute."

The facts in brief are that the petitioner was appointed under the respondent No.3 to the post of Mechanic (Group-C) by an order dated 13.12.2006. The petitioner is working as a Junior Mechanic/Mechanic like the employees who are working in the same post under the respondent Nos.3, 4, 6 & 8 with entire satisfaction but, the petitioner is deprived from 28.05.2011 as he is being given Grade Pay of Rs.1700/- instead of Rs.1800/- and subsequently also granted Grade Pay Rs.2200/- instead of Rs.2400/- which is gross violation of Article-14 of the Constitution of India.

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

Having considered the submissions advanced by the learned counsel appearing for both the parties, without expressing any opinion on merits, the present writ petition stands disposed of directing respondents to consider and dispose of the case of the petitioner in the light of the representation filed by the petitioner in the year 2022 before the respondents. The respondents are further directed to consider the case of the petitioner as that of similarly situated employees wherein their case was considered by this Court and appropriate pay scale has also been fixed. Learned counsel appearing for the petitioner submits that the present case is also covered by an order dated 07.03.2019 passed by this Court in WP(C) No.1147 of 2018 & others. Accordingly, the same shall be considered in accordance with law, if the petitioner is entitled to in the same manner within a period of three months from the date of receipt of the copy of this order.

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

JUDGE

A. Ghosh