

**HIGH COURT OF TRIPURA
AGARTALA
WP(C) NO.774 OF 2022**

Sri Apu Das
Vs.
The Union of India and Ors.

HON'BLE THE CHIEF JUSTICE (ACTING)

Present:

For the Petitioner(s) : Mrs. R. Chakraborty, Advocate.
For the Respondent(s) : Mr. B. Majumder, CGC.
Mr. B. Ghosh, Advocate.

17.03.2023

Order

The petitioner has filed this instant writ petition
praying for the following reliefs:-

" i) Issue Rule, calling upon the respondents and each one of them, to show cause as to why a Certiorari and/or in the nature thereof, for directing the respondents, to transmit the records, appertaining to his writ petition, lying with them, 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 a Writ of Mandamus and/or in the nature thereof, for mandating/directing them, to forthwith pay in equal shares to the petitioner and the private respondent, the service benefits, accruing upon the death of the mother of the petitioner, and also to pay a sum of Rs.23,00,000/-, alongwith interest at the rate of 18% as service benefits on the death of Smt. Arati Das, with effect from 02.12.2016, alongwith all other service benefits, accruing on the death of the mother, Smt. Arati Das;

iii) Call for the records appertaining to his petition.

iv) Costs of and incidental to this proceeding;

v) After hearing the parties, be pleased to make the Rule Absolute in terms of ii above.

vi) Any other Relief(s) as to this Hon'ble High Court may deem fit and proper;"

Intra alia praying for similar reliefs, the petitioner had earlier presented a writ petition before this Court, marked as WP(C) No.606 of 2018, and by Judgment & Order dated 21.06.2018, the same was allowed with certain directions which are as follows:-

"6. Taking note the material on record and the submissions made by the petitioner's counsel, this court thinks it appropriate to dispose of this petition with a direction that the petitioner to submit self contained representation addressed to the concerned authorities of the Airport Authority of India along with the copy of this order within four weeks, as prayed. The authority may decide the representation assigning cogent reasons within ten weeks thereafter and the decision be communicated to the petitioner.]

7. If the petitioner is aggrieved by the communication made by the Airport Authority he will be at liberty to avail remedy which the law permits.

Heard Mrs. R. Chakraborty, learned counsel appearing for the petitioner as well as Mr. B. Ghosh, learned counsel and Mr. B. Majumder, learned CGC appearing for the respondents.

The petitioner on the strength of the representation made has filed this writ petition seeking benefits. It is seen from records that the said so-called representation which is said to have been filed by the writ petitioner neither bears a date, or signature nor there is any proof of acknowledgment of service on the respondents.

In view of the same, this Court finds that the present writ petition is erroneous. However, having regard to the

subject matter involved in this writ petition i.e. with regard to seeking service benefits by the petitioner, an opportunity is given to the petitioner to make a fresh representation in accordance with the law to the respondents. On receipt of the same, the respondents shall consider the same within a period of 3(three) months from the date of receipt of the copy of this order.

With the above observation and direction, this instant writ petition stands disposed of. Stay if any stands vacated, pending application(s), if any also stands closed.

CHIEF JUSTICE (ACTING)

suhanjit

