

HIGH COURT OF TRIPURA
_A_G_A_R_T_A_L_A_
WP(C) No.777 of 2022

Dr. Biplab De & Another

.....Petitioners

V_E_R_S_U_S

The State of Tripura & 7 Others.

.....Respondents

For Petitioner(s)	:	Mr. P. Roy Barman, Sr. Advocate. Mr. S. Bhattacharjee, Advocate.
For Respondent(s)	:	Mr. D. Bhattacharjee, G.A. Mr. B. Majumder, Deputy SGI. Mr. S. Saha, Advocate.

HON'BLE MR. JUSTICE T. AMARNATH GOUD

_O_R_D_E_R_

27/04/2023

Heard Mr. P. Roy Barman, learned senior counsel assisted by Mr. S. Bhattacharjee, learned counsel appearing for the petitioners. Also heard Mr. D. Bhattacharjee, learned G.A., Mr. B. Majumder, learned Deputy SGI and Mr. S. Saha, learned counsel appearing for the respondents.

This petition has been filed under Article-226 of the Constitution of India directing the respondents to give benefit of revised pay scale to the petitioners in terms of AICTE Regulation-2019, notified vide notification dated 01.03.2019 with all consequential incidental benefits including the arrear pay & salary w.e.f. 01.10.2017 in conformity with the notification dated 27.12.2019 of Education (Higher) Department, Government of Tripura with interest @Rs.9% per annum.

The petitioners have prayed for the following reliefs:

- i. Issue rule upon the respondents to show cause as to why writ in the nature of mandamus and/or order or direction of like nature shall not be issued directing the respondents to give benefit of revised pay scale to the petitioners in terms of AICTE Regulation-2019, notified vide notification dated 01.03.2019 (Annexure-10 to the writ petition) with all consequential incidental benefits including the arrear pay & salary w.e.f. 01.10.2017 in conformity with notification dated 27.12.2019 of Education (Higher)

Department, Government of Tripura (Annexure-11) with interest @Rs.9% per annum.

ii. Make the rule absolute.

iii. Pass any other order/orders as may be considered fit and proper by the Hon'ble High Court.

iv. Award cost incidental to the writ petition.”

The facts in brief are that the petitioners, who are serving as Associate Professors (Degree Course) under the State respondents have sought for necessary direction upon the respondents to grant them, the benefit of revised pay scale as per AICTE Regulation-2019 w.e.f. 01.10.2017 with all consequential incidental benefits including the arrear pay & salary in conformity with the notification dated 27.12.2019, issued by the Secretary, Education (Higher) Department, Government of Tripura with interest @Rs.9% per annum. The petitioners filed representations before the respondents but till date the representations of the petitioners has not been disposed of by the respondents.

Hence, the present petition has been filed by the petitioners 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 petitioners in the light of the representations filed by the petitioners in the year 2021-2022 before the respondents, in accordance with law 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