

**HIGH COURT OF TRIPURA
AGARTALA
WP(C) NO.786 OF 2022**

Md. Ershad Ulla and ors.
Vs.
The State of Tripura and ors.

HON'BLE THE CHIEF JUSTICE (ACTING)

Present:

For the Petitioner(s)	: Mr. P. Roy Barman, Advocate. Mr. K. Chakraborty, Advocate.
For the Respondent(s)	: Mr. M. Saha, Advocate. Mr. D.C. Saha, Advocate.

17.03.2023

Order

The fact of this instant writ petition is that the petitioners are serving in the post of Junior Electricians, in the TSECL. Praying fixation of their pays in parity with the reference posts of Junior Surveyor/Junior Draftsman, as per the relevant Revision of Pay Rules, the petitioners had filed a batch of Writ Petitions. By a Judgment & Order dated 12.05.2020, passed by this Court, the same were dismissed. Aggrieved thereby, the petitioners had preferred Intra-Court Appeals there against, and by an order dated 15.03.2021, the Division Bench of this Court held that that said Judgment and order dated 12.05.2020, as passed by the learned Single Judge does not survive, and permitted the petitioners to submit representation to the appropriate authority. In tune therewith, the petitioners submitted representations to the

respondents thereby elaborately expressing their grievance, and raising their genuine claims vis-à-vis fixation of their pay, in parity with the persons, serving in the posts of Junior Surveyor/Junior Draftsman, and further enclosed their relevant qualification certificates, but the same did not evoke any response.

Hence the petitioners 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 writ of Mandamus and/or in the nature thereof, shall not be issued, mandating/directing them to fix the pay of the petitioners, in the pay scale of Rs.4,200-8,650/- as per the Tripura State Civil Services(Revised Pay) Rules, 1999, with effect from 01.01.1996.

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 to fix the pay of the petitioners, in the pay scale of Rs.5,310-24,000/- along with Grade Pay of Rs.2,100/-(subsequently modified to Rs.5,700-24,000/- along Grade Pay of Rs.2,800/-) as per the Tripura State Civil Services (Revised Pay) Rules, 2009, with effect from 01.01.2006.

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 fix the pay of the Petitioners, in the basic pay of Rs.30,320/-(Pay Matrix Level 9), as per the Tripura State Civil Services (Revised Pay) Rules 2007, with effect from 01.04.2017;

iv) 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 grant all the consequential benefits flowing therefrom along with arrears thereof;

v) Call for the records, appertaining to this Writ Petition.

vi) After hearing the parties, be pleased to make the Rules absolute in terms of (i) and (iv) above;

vii) Costs of and incidental to this proceeding.

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

Heard Mr. P. Roy Barman, learned Sr. counsel assisted by Mr. K. Chakraborty, learned counsel appearing for the petitioners, and Mr. M. Saha, learned counsel as well as Mr. D.C. Saha, learned counsel appearing for the respondents.

Respondent No.4 herein has received the representations of the petitioners which have been filed through proper channel and other respondents in this writ petition were also sensitized about the grievance of the petitioners. This Court opines that the respondents have not taken the grievance of the petitioners in the right manner and have not acted upon though it is more than a year. This Court expresses its concern in the manner in which the respondents are showing their concern towards their subordinate employees. This Court is not inclined to accept the lethargic approach against its employees by the respondents herein.

In view of the same, this Court directs respondent No.4 to resolve the grievances of the petitioners herein within a period of 4(four) weeks 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)