

**HIGH COURT OF TRIPURA
AGARTALA
WP(C) NO.802 OF 2022**

Sri Tapan Kumar Chowdhury
Vs.
The State of Tripura and ors.

HON'BLE THE CHIEF JUSTICE (ACTING)

Present:

For the Petitioner(s) : Mr. D.C. Saha, Advocate.

For the Respondent(s) : Mr. P. Gautam, Advocate.
Mr. R. Datta, Advocate.

10.04.2023

Order

This present writ petition has been filed under Article 226 of the Constitution of India seeking the following reliefs:-

- i. Admit the writ petition.
- ii. Call for the records.
- iii. Issue Writ in the nature of certiorari upon the respondents to show cause as to why the Letter No.F.22(2)-HC/2022/21397-98 dated 26th August, 2022 issued by the Registry of the Hon'ble Court of Tripura should not be quashed by declaring it arbitrary, illegal and non-est in the eye of law.
- iv. Issue writ in the nature of Mandamus upon the respondents to show cause as to why the respondents will not re-fix the pension of the petitioner W.E.F. 01.11.2006 after sanction of one advance increment as per recommendation of Shetty Commission to the petitioner.
- v. Issue Writ in the nature of mandamus upon the respondents to show cause as to why the respondents will not sanction Revised Pay structure in terms of the 6th Central Pay Commission Recommendation W.E.F. 01.01.2006 in addition to the benefits of Shetty Commission recommendation to the petitioner.
- vi. Issue Writ in the nature of Mandamus upon the respondent to show cause as to why the respondents will not sanction 18% interest on the Pay and allowances sanctioned to the petitioner w.e.f. 01.01.2006 to 31.10.2006 and pension benefits sanctioned to the petitioner w.e.f. 01.11.2006 in favour of the petitioner till payment of the said amount to the petitioner sanctioned with regard to 6th CPC w.e.f. 01.11.2006 in pursuance to Notification No.F.3(2)FIN(PC)/93(P-III) dated 02.12.2017.
- vii. Issue of Writ in the nature of Mandamus directing the respondents to sanction 18% interest to the petitioner for withholding the re-fixation of Pension of the petitioner w.e.f. 01.11.2006 after

sanction of one advance increment as per recommendation of the Shetty Commission to the petitioner.

viii. Issue of Writ in the nature of Mandamus directing the respondents to sanction 18% interest on the Pay and allowances sanctioned to the petitioner w.e.f. 01.01.2006 to 31.10.2006 and Pension benefits sanctioned to the petitioner w.e.f. 01.11.2006 in favour of the petitioner till payment of the said amount w.e.f. 01.11.2006 in favour of the petitioner till payment of the said amount to the petitioner sanctioned with regard to the 6th CPC w.e.f. 01.11.2006 in pursuance to Notification No.F.3(2)FIN(PC)/93(P-III) dated 02.12.2017.

ix. Pass any other order/orders as your Lordship deems fit and proper for ends of justice."

Heard Mr. D.C. Saha, learned counsel appearing for the petitioner as well as Mr. R. Datta, learned counsel appearing for respondent No.3, and Mr. P. Gautam, learned counsel appearing for respondent No.4.

It is seen from the record that the petitioner has submitted representations/requests before the respondents agitating his grievance but the same is not disposed of. Accordingly, this present writ petition is disposed of with a direction upon the respondent No.4 herein i.e. The District Judge, Gomati Judicial District, Udaipur to consider the case of the petitioner and decide the same within a period of 1(one) month from the date of receipt of the copy of this order. The respondents shall communicate such decision to the petitioner herein

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

CHIEF JUSTICE (ACTING)