

HIGH COURT OF TRIPURA
AGARTALA

WP(C) 736 OF 2023

Saheli Majumder(Roy) & Anr. Vrs. The State of Tripura & 6 Ors.

For the petitioner(s) : Mr. P. Roy Barman, Sr. Advocate
Mr. Samarjit Bhattacharjee, Advocate.

For the respondent(s) : Mr. Kohinoor N. Bhattacharyya, G.A.
Mr. Bidyut Majumder, Dy.SGI.

HON'BLE MR.JUSTICE ARINDAM LODH

07.12.2023

Order

Heard Mr. P. Roy Barman, learned senior counsel assisted by Mr. Samarjit Bhattacharjee, learned counsel appearing for the petitioners. Also heard Mr. Kohinoor N. Bhattacharyya, learned G.A. appearing for the State-respondents and Mr. Bidyut Majumder, learned Dy.SGI appearing for the respondent-Union of India.

The present writ petition has been filed for granting the following reliefs:

- (i) *“Issue Rule upon the Respondents to show cause as to why a writ in the nature of Mandamus and/or order/orders and/or direction/directions of like nature shall not be issued whereby directing the Respondents to give the benefit of compassionate appointment under Die-in-Harness Scheme notified on 02.03.2019, to the Petitioner No.1, being the wife of Lt. Jayanta Ray, deceased Govt. employee, who died in harness on 11.08.2022, while serving in the post of Graduate Teacher, Ramnagar Girls’ High School (Primary Section), under the Directorate of Secondary Education, Govt. of Tripura.*
- (ii) *Issue Rule upon the Respondents to show cause as to why a writ in the nature of Mandamus and/or order/orders and/or direction/directions of like nature shall not be issued whereby directing the Respondents to release regular monthly pension in favour of the Petitioner No-1 with interest @ 9% per annum.*
- (iii) *Issue Rule upon the Respondents to show cause as to why a writ in the nature of Mandamus and/or order/orders and/or direction/directions of like nature shall not be issued whereby directing the Respondents to release all post death benefits, such as*

full and final payment of gratuity, leave encashment benefit, final payment of GPF, Group Insurance, etc. in favour of the petitioners and mother-in-law of the Petitioner No-1, with interest @ 9% per annum.

(iv) *Make the rules absolute.*

(v) *Call for records.”*

This Court had passed an order on 05.12.2023 with the following terms, which reads thus-

“Prima facie, I find that there is no impediment at all to issue letter of appointment in favour of the petitioner no.1 under the Die-in-Harness Scheme formulated by the Government of Tripura, but it is being unnecessarily delayed for the reasons best known to the department concerned.

In view of this, I request the learned G.A. to look into the matter personally and inform the court by 07.12.2023 about the status of issuance of appointment letter in favour of the petitioner no.1.

List the matter on 07.12.2023.

A copy of this order may be furnished to Mr. Samarjit Bhattacharjee, learned counsel for the petitioners, learned G.A. and learned Dy. SGI during the course of the day.”

Today, when the matter has come up, Mr. Bhattacharyya, learned G.A. has submitted that the respondents have taken all necessary steps to appoint the petitioner no.1 under the Die-in-Harness Scheme on or before 1st January, 2024. Only two steps during the process are to be followed.

In view of this, the present writ petition may be disposed of with a request to the respondents to complete the entire process on or before 1st January, 2024 otherwise, the respondents may be liable for payment of compensation to the petitioner no.1. If further grievance exists, then, the petitioner no.1 may proceed in accordance with law.

Accordingly, with the aforesaid directions and observations, the instant writ petition stands disposed.

JUDGE