

**HIGH COURT OF TRIPURA
AGARTALA
WP(C) 889/2022**

Sri Uttam Debnath

----Petitioner(s)

Versus

The State of Tripura and 3 ors.

----Respondent(s)

For Petitioner(s)	:	Mr. TK Choudhury, Advocate
For Respondent(s)	:	Mr. M. Debbarma, Addl. GA

HON'BLE MR. JUSTICE ARINDAM LODH
Order

17/07/2023

Heard Mr. TK Choudhury, learned counsel appearing for the petitioner. Also heard Mr. M. Debbarma, learned Additional GA appearing for the respondents-State. None has appeared for the respondent-TSECL.

In the present writ petition, the petitioner has prayed for consideration of his seniority. He has stated that he is senior to the private respondents. This court in its order dated 31.01.2020 while disposing of the writ petition had passed a direction which may be quoted here-in-below:-

- “(i) The corporation shall pass consequential order in terms of the statement made and recorded hereinabove within a period of two months from today.
(ii) Once this order is passed, the petitioner may make a representation to the concerned authority for correct seniority in the regular cadre. The concerned authority shall consider the same and pass a speaking order within two months from the date of receipt of the representation.
(iii) If there any grievance still surviving it would be open for the petitioner to agitate the same in accordance with law”.**

Vide order dated 06.01.2021 in connection with Cont. Cas (C) 69 of 2020, titled as *Sri Uttam Debnath vs. Sri Sashi Ranjan Kumar and another*, this court had passed by the following direction:

“Learned counsel for the respondent No.2 placed on record a memorandum dated 24.12.2020 granting appropriate pay scale to the petitioner. First stage of the implementation of the Court order is therefore completed. It is now for the petitioner to make a representation if he so wishes seeking appropriate seniority in terms of the said order of the Court thereafter the respondents shall proceed as provided in the order.”

The petitioner in pursuance to the said order has submitted representation before the competent authority on 22.07.2021.

Mr. TK Choudhury, learned counsel for the petitioner has submitted that despite said representation submitted by the petitioner, till today, it was not responded to and no communication has been made to the petitioner till date. So, Mr. Choudhury, learned counsel has urged this court for passing appropriate direction.

On the other hand, Mr. Debbarma, learned Additional GA appearing for the respondents-State has submitted that a tentative seniority list has already been prepared by the Corporation on 21.06.2022.

Learned counsel for the petitioner has contended that the name of the petitioner is not found in the said tentative seniority list though the names of his juniors are found therein. The petitioner raised objection for non-inclusion of his name in the said seniority list by way of submitting a representation dated 24.06.2022 (Annexure 9 to the writ petition), but, till today no communication has been made to the petitioner, as regards the communication dated 24.06.2022.

In view of this, I direct the respondents to communicate their decision on the representation of the petitioner submitted on 24.06.2022 addressed

to the competent authorities of the Corporation within a period of one month from today.

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

JUDGE

SAIKAT
KAR



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