

HIGH COURT OF TRIPURA
_A_G_A_R_T_A_L_A_
WP(C) No.897 of 2022

Sri Rupak Nandi and others

.....Petitioner(s)

V E R S U S

The State of Tripura and others

.....Respondent(s)

For Petitioner(s) : Mr. Samarjit Bhattacharjee, Advocate.

For Respondent(s) : Mr. D. Bhattacharya, G.A.,
Mr. K. De, Addl. G.A.

HON'BLE THE CHIEF JUSTICE (ACTING)

ORDER

10.02.2023

Heard Mr. Samarjit Bhattacharjee, learned counsel appearing for the petitioners and also heard Mr. D. Bhattacharya, learned Government Advocate assisted by Mr. K. De, learned Additional Government Advocate appearing for the respondents-state.

[2] The instant petition has been filed by the petitioners under Article 226 of the Constitution of India seeking for a direction to the respondents to enhance monthly pension of the petitioners from Rs.750/-to Rs.10,000/-.

[3] The petitioners have prayed for the following reliefs :

“(a) Issue Rule upon the respondents to show cause as to why a writ in the nature of Mandamus and/or any other order/orders shall not be issued whereby directing the respondents to enhance monthly pension of the petitioners from Rs.750 to Rs.10,000/- per month;

AND

(b) Call for the records pertaining to the instant writ petition from the custody of the respondents and to make the rule absolute;

AND

(c) After hearing both the parties pass order/orders as this Hon'ble High Court considered fit and proper."

[4] Brief facts leading to this case are that the petitioners retired from service as Home Guards on attaining the age of superannuation. Vide notification dated 15.11.2012 issued by the Deputy Secretary, Government of Tripura, Home Department, a pension scheme for providing pension to the retired Home Guards were notified. As per the said scheme, the rate of pension of the petitioners was fixed at Rs.750/- per month. The case of the petitioners is that the pension scheme was introduced for the first time and came into force *with effect from* 01.12.2012 and with such meager amount of pension they are unable to run their livelihood.

[5] The petitioners submitted representation dated 17.08.2022 to the Secretary, Home Department, Government of Tripura seeking enhancement of the monthly pension from Rs.750/- to Rs.10,000/-. In their representation they have stated that the monthly pension fixed at Rs.750/- vide notification dated 15.11.2012 has not been revised or enhanced since 15.11.2012 and the monthly pension fixed at Rs.750/- per month is not adequate considering the increased prices of all essential commodities.

[6] Mr. Samarjit Bhattacharjee, learned counsel for the petitioner contends that the petitioners are unable to run their livelihood with such meager amount of pension and also they have submitted representation dated 15.11.2012 citing their grievances before the Secretary, Home Department, Government of Tripura without any avail. Accordingly, he prays for enhancement of the pension from Rs.750/- to Rs.10,000/-. On the other hand, Mr. D. Bhattacharya, learned Government Advocate assisted by Mr. K. De, learned Addl. G.A. fairly submitted to consider the case, in accordance with law.

[7] After hearing the learned counsel for the respective parties, the instant writ petition is disposed of directing the respondents to consider the representation of the petitioners dated 15.11.2012, in accordance with law, preferably within a period of 3(three) months from the date of receipt of the copy of this order.

[8] With the above observation, the petition is disposed of.
Pending application(s), if any, also stands disposed of.

CHIEF JUSTICE (ACTING)

Pulak/Dipesh