

**HIGH COURT OF TRIPURA
AGARTALA**

WP(C) 1013 of 2022

Smt. Anusri Debi

---Petitioner(s)

Versus

State of Tripura and 4 Ors.

---Respondent(s)

For Petitioner(s)	: Ms. R. Guha, Adv.
For Respondent(s)	: Mr. D. Bhattacharjee, GA.
Date of hearing and date of judgment and order	: 04.05.2023.
Whether fit for reporting	: Yes/No

HON'BLE MR. JUSTICE T. AMARNATH GOUD

Judgment & Order (Oral)

This is a petition under Article 226 of the Constitution of India.

[2] The brief facts of this case is that on 08.06.2021 the father of the petitioner passed away while performing his regular job under the Government of Tripura. The mother of the petitioner was ineligible for the job under the die-in-harness scheme at the time of the death of the father of the petitioner. There was no other eligible member in the family. The mother of the petitioner was also offered a onetime financial assistance but she respectfully refused to accept the same. According to the petitioner her mother rather chose to wait for her to attain majority so that she could grab the job under compassionate grounds of the die-in-harness scheme of the Tripura Government. But the respondents herein have been sitting on it for almost four years.

[3] Aggrieved thereby, the petitioner has sought for the following relief:

- (1) Issue notice.
- (2) Admit the instant petition.
- (3) Issue Rule NISI.
- (4) 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, for mandating/directing them, to consider the petitioner for appointment under the Die-in-harness scheme.
- (5) Issue rule calling upon the respondent and each one of them to show cause as to why a Writ of Certiorari and/or in the nature thereof, shall not be issued, for directing them to call for all the relevant record/or document in connection of the instant matter.

[4] Learned counsel appearing for the respondents submits before this court that the petitioner is not entitled to get appoint in die-in-harness scheme.

[5] Heard both sides.

[6] Having perused the entire record, this court is of the view that the present writ petition is filed assailing the action of the respondents in not deciding upon the letter dated 09.07.2018 made by the petitioner requesting the respondents to consider the case for providing compassionate appointment in die-in-harness scheme and thereafter a remainder has also been made. Since the same was not considered the petitioner has approached this court.

[7] In view of said submission, without expressing any opinion on the merits of the case, this present writ petition is disposed of directing the respondents to consider the case of the petitioner in accordance with law within a period of three months from the date of receipt of this order. The petitioner is at liberty to provide to all the relevant materials to the respondents, if so advised.

[9] With the above observation and direction, this present writ petition stands disposed of. As a sequel, stay if any stands vacated. Pending application(s), if any also stands closed.

JUDGE

