

**HIGH COURT OF TRIPURA
AGARTALA
WP(C) No.137 of 2024**

<i>Sri Rajat Nath</i>	<i>Versus</i>	<i>Petitioner(s)</i>
<i>The State of Tripura & Ors.</i>		<i>Respondent(s)</i>

For Petitioner(s)	:	Ms. A. Debbarma, Advocate.
For Respondent(s)	:	Mr. Kohinoor N. Bhattacharjee, G.A Mr. P. Gautam, Advocate

HON'BLE MR. JUSTICE T. AMARNATH GOUD
ORDER

22.02.2024

This petition has been filed under Article 226 of the Constitution of India seeking 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 thereby directing the respondents to pay the sanctioned leave salary amounting Rs.10,3320/-.
- 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 thereby directing the respondents to pay 9% interest on Rs.10,3320/- w.e.f 01.11.2022 till the date of actual payment.
- 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 thereby directing the respondents to provide 9% interest on Rs. 10,00,000/- w.e.f the date on which the gratuity becomes payable to the petitioner till the date of payment i.e. upto 11.12.2023..
- iv. 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 thereby directing the respondents to pay 9% interest on the amount, already paid on account of Group Insurance Scheme (i.e.Rs.77,376/-), for belated payment thereof.
- v. 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 thereby directing the respondents to release his conveyance allowance of Rs.1020/- sanctioned in favour of the petitioner.
- vi. Make the rules absolute.
- vii. Call for records.

[2] Heard learned counsel appearing for both sides.

[3] Ms. A. Debbarma, learned counsel appearing on behalf of the petitioner has drawn the attention of this Court to a memorandum dated 22.12.2023 issued by the Managing Director, Tripura Handloom and

Handicrafts Development Corporation Ltd. A fair reading of the same, indicates that the request of the petitioner has already been approved. Ms. Debbarma, learned counsel submits that the respondent(s), for the reason best known to them, are not releasing leave encashment of the petitioner. Hence, the present writ petition is filed.

[4] On perusal of record, it reveals that by a memorandum dated 22.12.2023 issued by the Managing Director, Tripura Handloom and Handicrafts Development Corporation Ltd. the prayer of the petitioner for payment of superannuation of leave salary benefits was approved. But, the respondent(s) did not release the leave encashment of the petitioner and the petitioner on several occasions i.e. through the communications dated 04.01.2024, 05.02.2024 and 05.02.2024 approached the respondent(s) to release the same benefits, which are still pending with the respondent(s).

[5] In view of the above, without expressing any opinion on the merits of this case, the present writ petition is disposed of with a direction to the respondent(s) to take a decision in releasing the amounts as prayed for, considering the communications of the petitioner dated 04.01.2024, 05.02.2024 and 05.02.2024 within a period of 02 (months) from the date of receipt of the copy of this order. It is further directed that while considering the aforementioned communications from the petitioner, the memorandum dated 22.12.2023 shall also be taken a note of.

[6] With the above observation and direction, this present writ petition stands disposed of. As a sequel, miscellaneous application(s), pending if any, shall stand closed.

JUDGE

Paritosh

**SABYASACHI
I GHOSH** Digitally signed by
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