

**HIGH COURT OF TRIPURA
AGARTALA**

WP(C) 230 of 2024

Shri Nibash Shil and others **Petitioner(s)**

Versus

State of Tripura and others **Respondent(s)**

WP(C) 232 of 2024

Smt. Nibedita Datta and others **Petitioner(s)**

Versus

State of Tripura and others **Respondent(s)**

For Petitioner(s) : Mr. GK Nama, Advocate.

For Respondent(s) : Mr. K. De, Addl. G.A.
Ms. R. Chakraborty, Advocate.

HON'BLE MR. JUSTICE T. AMARNATH GOUD

ORDER

21.03.2024

These writ petitions are filed under Article 226 of the Constitution of India by the petitioners seeking direction of this Court to the respondents for taking into account the past service of the petitioners and to grant all benefits to them. Since, the cause of action involves in both the cases are similar in nature and the reliefs sought for by the petitioners are also same, these are taken together for hearing and disposal in a common order.

[2] Heard learned counsel for the respective parties.

[3] It is the case of the petitioners that having been dissatisfied with the non-consideration of past service period, similarly situated three teachers who joined the service on the same day as the petitioners, submitted representations to the respondents. But, the respondents did not consider the representations and those teachers filed writ petition vide No. WP(C) 722 of 2022 seeking their reliefs. This Court by order dated 17.03.2023 directed the respondents to consider the case of the

petitioners in the light of their representations. The relevant portion of the said order is extracted as under:

".....In view of above and after gone through the counter-affidavit submitted by the respondents, it has been revealed that the respondents have categorically agreed that representations have been made by the petitioners and the same are pending. Without expressing any opinion on merits, the present petition stands disposed of directing the respondents to consider the case of the petitioner more particularly, the representations made by the petitioners before the respondent in accordance with law within a period of three months from the date of receipt of the copy of this order.

Accordingly, the present writ petition stands disposed of. As a sequel, miscellaneous application(s) pending, if any, shall stand closed."

In pursuance thereof, the respondents issued a memorandum dated 17.12.2023 granting the benefits to the said similarly situated three teachers.

[4] It is contended that when the petitioners herein came to know about the aforesaid order of this Court dated 17.03.2023 and consequent memorandum dated 17.12.2023 issued by the respondents, they submitted representations before the respondents seeking similar benefits. But, these representations have not been considered by the respondents and these are pending as of now. Being aggrieved, the present writ petitions have been preferred by the petitioners.

[5] In view of the above, without expressing any opinion on the merits of the case, these petitions are disposed of directing the respondents to consider the representations of the petitioners keeping in view the aforesaid order of this Court dated 17.03.2023 passed in WP(C) 722 of 22 and the memorandum dated 17.12.2023 issued by the Government of Tripura in its Directorate of Secondary Education, Estt.(NG) Section. The decision taken in this regard, be accordingly communicated to the petitioners within a period of three months from the date of receipt of copy of this Order.

With the above direction, the present writ petition is disposed of. Miscellaneous application(s) pending if any, shall also stand closed.

JUDGE