

**HIGH COURT OF TRIPURA
AGARTALA
WP(C) NO.238 OF 2024**

Smt. Pratima Biswas

.....**Petitioner(s)**

Versus

The State of Tripura and ors.

.....**Respondent(s)**

For the Petitioner(s) : Ms. Rumpa Dey, Advocate.

For the Respondent(s) : Mr. D. Sharma, Addl. G.A.

Date of hearing and delivery of
Judgment & Order : 11.07.2024

Whether fit for reporting : YES/NO

**HON'BLE MR. JUSTICE T. AMARNATH GOUD
J U D G M E N T & O R D E R (O R A L)**

Heard Ms. R. Dey, learned counsel appearing for the petitioner as well as Mr. D. Sharma, learned Addl. G.A., appearing for the respondents.

2. This present writ petition has been filed by the petitioner under Article 226 of the Constitution of India seeking the following reliefs:-

"i. Admit the petition of the petitioner;

ii. Call for the records from the custody of the respondents, having relevance to the subject matter;

iii. As to why a writ in the nature of mandamus should not be issued directing the Respondents to grant the pay scale of Rs.240-440/- under the Tripura Government Service(Revised Pay) Rules, 1975 and/or corresponding revised pay scales from time to time to the petitioner and for payment of consequential arrears of salary.

AND

iv. Be pleased to pass such order or orders so as to give full relief to the petitioner and upon causes shown to make the Rule Absolute."

3. It is the case of the petitioner that she is the wife of the deceased-Krishna Biswas who worked as a temporary labour with the respondent organization from 20.11.1966 and thereafter his services were regularised on 01.04.1979. On attaining superannuation, he retired on 31.10.2002. Latter the husband of the petitioner died on 17.03.2010. The petitioner herein for the first time on 16.11.2023 issued a legal notice to respondent No.2 and prayed for refixation of the pay of the deceased husband and accordingly, grant the benefits. In support thereof, the petitioner relied upon certain orders of this Court passed in respect of some other writ petitions. Since the same was not considered and there was a specific reply by the respondents by letter dated 26.02.2024, the present writ petition is said to be filed challenging the same.

4. It is seen from the record that admittedly, there was no grievance of the deceased person till the date of his retirement on 31.10.2002 and his date of death on 17.03.2010. The present writ petition has been filed only on the ground of equities in the year 2024 after a delay of such a long period. The writ petitioner is before this Court contending that similarly placed employees got relief in the year 2005 and the same be extended to her now in the year 2024 w.e.f. 1979. This Court feels that this present writ petition is only a chance litigation and no case has been made out

for interference by this Court. Accordingly, on the ground of laches, the present writ petition stands dismissed.

5. As a sequel, stay if any stands vacated. Pending application(s), if any also stands closed.

JUDGE

suhanjit

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