

**HIGH COURT OF TRIPURA
AGARTALA
WP(C)315 OF 2024**

Smt. Sumita Das.

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

Versus

The Government of India and ors.

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

For the Petitioner(s) : Mr. P. Roy Barman, Sr. Advocate.
Mr. M.L. Roy, Advocate.
Mr. K. Nath, Advocate.

For the Respondent(s) : Mr. B. Majumder, Deputy SGI.

Date of hearing and delivery of
Judgment & Order : 27.06.2024

Whether fit for reporting : 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)**

This present writ 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 the like nature shall not be issued whereby directing the Respondents to accord entitled family pension w.e.f. 12-02-2019 in favour of the instant Petitioner.

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 the like nature shall not be issued whereby directing the Respondents to make interest on the arrear of the entitled family Pension till release w.e.f. 12-02-2019 on which from she is entitled of the family pension.

iii) Issue Rule upon the Respondents Writ in the nature of Mandamus and/or order/orders and/or direction/directions of the like nature shall not be issued whereby directing the Respondents to give advice to the Branch Manager, United Bank of India, Kaman Chowmuhani Branch, Agartala, West Tripura, Tripura, Pin: 799001 to credit the entitled family Pension plus interest on the arrear family Pension in the S.B. A/c No. 1017010145367 of the instant Petitioner accordingly.

iv) Make the rules absolute.

v) Call for records.

vi) Pass any further order/orders as this Hon'ble High Court consider fit and proper."

2. Heard Mr. P. Roy Barman, learned Sr. counsel assisted by Mr. M.L. Roy, learned counsel, and Mr. D. Paul, learned counsel appearing for the petitioner as well as Mr. B. Majumder, learned Deputy SGI appearing for the respondents.

3. The present writ petition is filed seeking the above-mentioned reliefs. This Court finds that the same is a premature writ petition since there is no cause of action and even before any decision is taken, the present writ petition has been filed.

4. However, it is seen from the record that the case of the petitioner was in active consideration by way of a reply notice dated 5th of March 2024.

5. However, during the course of the argument Mr. Roy Barman, learned Sr. counsel has placed on record an order dated 20th March 2024 issued from the Office of the Commandant, 71 BN BSF, Bhikhiwind(Punjab) wherein it is stated thus '*order is issued for release of Family Pension in favour of the Miss Sumita Das D/o No.66911141 Ex.Const(Tailor) Late Subal Chandra Das of this Unit w.e.f. 12.02.2019*'.

6. In view of the same, accordingly, the same is taken on record and the writ petition stands dismissed as premature. As a sequel, stay if any stands vacated. Pending application(s), if any also stands closed.

JUDGE

suhanjit

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