

IN THE HIGH COURT OF TRIPURA
AGARTALA

W.A. No.59 of 2024
W.A. No.64 of 2024
W.A. No.66 of 2024
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W.A. No.68 of 2024
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W.A. No.82 of 2024

In W.A. No.59 of 2024

1. The State of Tripura

to be represented by the Secretary,
Department of Finance, Government of
Tripura, New Secretariat Building, New
Capital Complex, Agartala, West Tripura,
Pin- 799010.

2. The Secretary

Department of Finance, Government of
Tripura, New Secretariat Building, New
Capital Complex, Agartala, West Tripura,
Pin- 799010.

3. Tripura Road Transport Corporation (TRTC)

(A Government of Tripura undertaking) to be
represented by the Chairman, Tripura Road Transport
Corporation, Krishnanagar, Agartala, West Tripura,
Pin- 799001

4. The Managing Director

Tripura Road Transport Corporation,
Krishnanagar, Agartala, West Tripura, Pin-
799001

5. The Secretary

Department of Transport, Government of
Tripura, Paribahan Bhaban, Astabol,
Northgate, Agartala, West Tripura District,
Pin- 799001

..... Appellant(s)

– V e r s u s –

1. Bhupati Ranjan Bhowmik.

son of Late Nilmoohan Bhowmik, Resident of B.K lane, Joynagar, Agartala, West Tripura, Pin- 799001.

2. Anil Chandra Bhowmik

Son of Late Harendra Nath Bhowmik, Resident of 4. No. Colony Chandrapur Colony, Indira Nagar, South Tripura, Pin- 799013.

3. Sudharshan Chakraborty

Son of Late Sudya Kanta Chakraborty, Resident of Hospital Road, Extn. Gandhighat Agartala, West Tripura

4. Sankar Deb

Son of Late Gopal Ch. Deb, Resident of – Badharghat, Mataripalli, Agartala, West Tripura,

5. Saradindu Debbarma

Son of Late Bikash Ch. Debbarma, Resident of Thakur Palli Road, Krishnanagar Agartala, West Tripura

6. Narendra Debbarma

Son of Late Sachindra Debbarma, Resident of Jiten Akhari Bari, Champa Hour, Khowai

7. Haripada Debbarma

Son of Late Kishori Mohan Debbarma, Resident of Jagannath Bari Road, Agartala, West Tripura

8. Lal Zakim Rokhum

Son of Late Shil Nung Rokhum, Resident of Howai Bari, Teliamura, Tripura.

9. Md. Gias Uddin

Son of Late Abdul Nur, Resident of Dhupirband, North Tripura, Pin- 799013

10. Adhir Ch Das

Son of Late jagadananda Das, Resident of Dimsagar, Agartala, West Tripura.

11. Arjun Nath Bhowmik

Son of Late Nagendra Nath Bhowmik, Resident of Khas Chowmohani, West Tripura

12. Dilip Kumar Saha

Son of Late Dinabandhu Saha, resident of Jagaharimura, College Tilla, Agartala, West Tripura, Pin- 799004.

..... Respondent (s)

In W.A. No.64 of 2024

1. The State of Tripura

to be represented by the Principal Secretary, Department of Transport, Government of Tripura, New Secretariat Building, New Capital Complex, Agartala, West Tripura, Pin-799010

2. The Secretary

Department of Finance, Government of Tripura, New Secretariat, Building New Capital Complex, Agartala, West Tripura, Pin 799010

3. Tripura Road Transport Corporation (TRTC)

(A Government of Tripura undertaking) to be represented by its Managing Director, Tripura Road Transport Corporation Krishnanagar Agartala, West Tripura, Pin 799001

4. The Managing Director

Tripura Road Transport Corporation Krishnanagar, Agartala, West Tripura, Pin 799001

– V e r s u s –

..... Appellant(s)

Ranjit Kumar Deb

Son of Late Amulya Chandra Deb, Presently Residing at Pyari Babur Bagan, West Joy Nagar, Agartala, 799001 (Age 71 years)

..... Respondent(s)

In W.A. No.66 of 2024

1. The State of Tripura

to be represented by the Secretary, Department of Finance, Government of Tripura, New Secretariat Building, New Capital Complex, Agartala, West Tripura, Pin-799010

2. The Secretary

Department of Finance, Government of Tripura, New Secretariat, Building New Capital Complex, Agartala, West Tripura, Pin 799010

3. Tripura Road Transport Corporation (TRTC)

(A Government of Tripura undertaking) to be represented by its Managing Chairman, Tripura Road Transport Corporation, Krishnanagar, Agartala, West Tripura, Pin 799001

4. The Managing Director

Tripura Road Transport Corporation Krishnanagar, Agartala, West Tripura, Pin 799001

..... Appellant(s)

- Versus -

Sri Manik Lal Sutradhar

S/O. Lt. Nagendra Chandra Sutradhar, R/O. Ward No 9, Border Rampur, Kalikapur, Agartala, PO- Ramnagar, PS-West Agartala, District-West Tripura, Pin-799002

..... Respondent(s)

In W.A. No.67 of 2024

1. The State Of Tripura

to be represented by the Secretary, Department of Finance, Government of Tripura, New Secretariat Building, New Capital Complex, Agartala, West Tripura, Pin 799010

2. The Secretary

Department of Finance, Government of Tripura, New Secretariat Building, New Capital Complex, Agartala, West Tripura, Pin 799010

3. Tripura Road Transport Corporation (TRTC)

A Government of Tripura undertaking to be represented by the Chairman, Tripura Road Transport Corporation, Krishnanagar, Agartala, West Tripura, Pin 799001

4. The Managing Director

Tripura Road Transport Corporation, Krishnanagar, Agartala, West Tripura, Pin 799001

5. The Secretary

Department of Transport, Government of Tripura, Paribahan Bhaban, Astabol, Northgate, Agartala, West Tripura District Pin 799001

..... Appellant(s)

– V e r s u s –

Rupak Das

Son of Late Gouranga Das, Resident of Ward No 6, Khowrabil, North Tripura, Pin 799281

..... Respondent(s)

In W.A. No.68 of 2024

1. The State Of Tripura

to be represented by the Secretary, Department of Finance, Government of Tripura, New Secretariat Building, New Capital Complex, Agartala, West Tripura, Pin 799010

2. The Secretary

Department of Finance, Government of Tripura, New Secretariat Building, New Capital Complex, Agartala, West Tripura, Pin 799010

3. Tripura Road Transport Corporation (TRTC)

A Government of Tripura undertaking to be represented by the Chairman, Tripura Road Transport Corporation, Krishnanagar, Agartala, West Tripura, Pin 799001

4. The Managing Director

Tripura Road Transport Corporation, Krishnanagar, Agartala, West Tripura, Pin 799001

5. The Secretary

Department of Transport, Government of Tripura, Paribahan Bhaban, Astabol, Northgate, Agartala, West Tripura District Pin 799001

..... Appellant(s)

– V e r s u s –

1. Mrinal Kanti Ghosh

Son of Late Nani Gopal Ghosh, Resident of Krishnanagar, Pragati Road, Agartala, West Tripura, Pin 799001, Age 70 years

2. Kajal Kanti Sen

Son of Late Sitanath Sen, Resident of Sibnagar, Gedu Mia Masjid Road, Agartala West Tripura, Age 70 years

3. Arun Kanti Ghosh

Son of Late Jagabandhu Ghosh, Resident of Vill PO Jogendra Nagar, RK Road, Agartala West Tripura, Age 69 years

4. Harish Chandra Sutradhar

Son of Late Upendra Chandra Sutradhar Resident of Suryamaninagar, Amtali Nayapara, Agartala, West Tripura, Age 65 years

..... Respondent(s)

In W.A. No.69 of 2024

1. The State Of Tripura

to be represented by the Secretary, Department of Finance, Government of Tripura, New Secretariat Building, New Capital Complex, Agartala, West Tripura, Pin 799010

2. The Secretary

Department of Finance, Government of Tripura, New Secretariat Building, New Capital Complex, Agartala, West Tripura, Pin 799010

3. Tripura Road Transport Corporation (TRTC)

A Government of Tripura undertaking to be represented by the Chairman, Tripura Road Transport Corporation, Krishnanagar, Agartala, West Tripura, Pin 799001

4. The Managing Director

Tripura Road Transport Corporation, Krishnanagar, Agartala, West Tripura, Pin 799001

5. The Secretary

Department of Transport, Government of Tripura, Paribahan Bhaban, Astabol, Northgate, Agartala, West Tripura District Pin 799001

..... Appellant(s)

– V e r s u s –

Nirmal Hrishi Das

Son of Late Kalachan Hrishi Das, Resident of Aralia, Jogendra Nagar, Agartala, West Tripura, Pin 799004, Age 62 years

..... Respondent(s)

In W.A. No.70 of 2024

1. The State Of Tripura

to be represented by the Secretary, Department of Finance, Government of Tripura, New Secretariat Building, New Capital Complex, Agartala, West Tripura, Pin 799010

2. The Secretary

Department of Finance, Government of Tripura, New Secretariat Building, New Capital Complex, Agartala, West Tripura, Pin 799010

3. Tripura Road Transport Corporation (TRTC)

A Government of Tripura undertaking to be represented by the Chairman, Tripura Road Transport Corporation, Krishnanagar, Agartala, West Tripura, Pin 799001

4. The Managing Director

Tripura Road Transport Corporation, Krishnanagar, Agartala, West Tripura, Pin 799001

5. The Secretary

Department of Transport, Government of Tripura, Paribahan Bhaban, Astabol, Northgate, Agartala, West Tripura District Pin 799001

..... Appellant(s)

– V e r s u s –

Sri Anup Kumar Saha, 61 Years

S/O. Lt. Anil Chandra Saha, Resident of Kunjaban Colony, PO- Abhoynagar, PS-East Agartala, Sub-Division-Sadar, District-West Tripura Pin-799005

..... Respondent(s)

In W.A. No.71 of 2024

1. The State Of Tripura

to be represented by the Secretary,
Department of Finance, Government of
Tripura, New Secretariat Building, New
Capital Complex, Agartala, West Tripura,
Pin 799010

2. The Secretary

Department of Finance, Government of
Tripura, New Secretariat Building, New
Capital Complex, Agartala, West Tripura,
Pin 799010

3. Tripura Road Transport Corporation (TRTC)

A Government of Tripura undertaking to be
represented by the Chairman, Tripura Road
Transport Corporation, Krishnanagar,
Agartala, West Tripura, Pin 799001

4. The Managing Director

Tripura Road Transport Corporation,
Krishnanagar, Agartala, West Tripura, Pin
799001

5. The Secretary

Department of Transport, Government of
Tripura, Paribahan Bhaban, Astabol,
Northgate, Agartala, West Tripura District
Pin 799001

..... Appellant(s)

- Versus -

Swadesh Deb

Son of Late Sudhir Chandra Deb, Resident of
Natun Palli, Near Chhatra Sangha Club,
Agartala, West Tripura, Pin 799001, Age 61
years

..... Respondent(s)

In W.A. No.73 of 2024

1. The State Of Tripura

to be represented by the Secretary,
Department of Finance, Government of
Tripura, New Secretariat Building, New
Capital Complex, Agartala, West Tripura,
Pin 799010

2. The Secretary

Department of Finance, Government of Tripura, New Secretariat Building, New Capital Complex, Agartala, West Tripura, Pin 799010

3. Tripura Road Transport Corporation (TRTC)

A Government of Tripura undertaking to be represented by the Chairman, Tripura Road Transport Corporation, Krishnanagar, Agartala, West Tripura, Pin 799001

4. The Managing Director

Tripura Road Transport Corporation, Krishnanagar, Agartala, West Tripura, Pin 799001

5. The Secretary

Department of Transport, Government of Tripura, Paribahan Bhaban, Astaboli, Northgate, Agartala, West Tripura District Pin 799001

..... Appellant(s)

– Versus –

Narayan Chandra Debnath

Son of Late Jagabandhu Debnath, Resident of Pabia Charra, Kumarghat, North Tripura, Pin 799264, Age- 61 years

..... Respondent(s)

In W.A. No.74 of 2024

1. The State Of Tripura

to be represented by the Secretary, Department of Finance, Government of Tripura, New Secretariat Building, New Capital Complex, Agartala, West Tripura, Pin 799010

2. The Secretary

Department of Finance, Government of Tripura, New Secretariat Building, New Capital Complex, Agartala, West Tripura, Pin 799010

3. Tripura Road Transport Corporation (TRTC)

A Government of Tripura undertaking to be represented by the Chairman, Tripura Road Transport Corporation, Krishnanagar, Agartala, West Tripura, Pin 799001

4. The Managing Director

Tripura Road Transport Corporation,
Krishnanagar, Agartala, West Tripura, Pin
799001

5. The Commissioner

Department of Transport, Government of
Tripura, Paribahan Bhaban, Astabol,
Northgate, Agartala, West Tripura District,
Pin 799001

6. The Secretary

Department of Transport, Government of
Tripura, Paribahan Bhaban, Astabol,
Northgate, Agartala, West Tripura District
Pin 799001

..... Appellant(s)

– V e r s u s –

1. Syamal Banik, Age 62 Years

Son of Late Radha Gobinda Banik, Resident
of Flat No 05, Laxmi Building Royal Tripura
Residency, Chandrapur, Agartala, Tripura
(W), Pin 799008

2. Tapan Kumar Debnath, Age 61 Years

Son of Late Ashwini Kumar Debnath,
Resident of Chandinamura, Agartala, West
Tripura, Pin- 799002

3. Manju Debbarma, Age 49 Years

Wife of Late Ram Debbarma, Resident of
Rabai Sadan, Noabadi, Agartala, West
Tripura

4. Sujit Chakraborty, Age 61 Years

Son of Late Laxman Chakraborty, Resident
of Jogendranagar, Agartala, West Tripura

5. Suresh Chowdhury, Age 61 Years

Son of Anath Bondhu Chowdhury, Resident
of Udaipur Chanban, Gomati Tripura, Pin-
799114

6. Sekhar Chakraborty, Age 61 Years

Son of Late Khitish Chakraborty, Resident of
Udaipur, Chanban Near IOC, Gomati
Tripura, Pin- 799120

7. Bikash Roy, Age 61 Years

Son of Late Chitta Ranjan Roy, Resident of Kunjaban, Abhoynagar, Agartala, West Tripura, Pin- 799005

8. Lil Mohan Biswas, Age 61 Years

Son of Late Aghur Chandra Biswas, Resident of Ranjit Nagar, Ramnagar Agartala, Tripura

..... Respondent(s)

In W.A. No.75 of 2024

1. The State Of Tripura

to be represented by the Secretary, Department of Finance, Government of Tripura, New Secretariat Building, New Capital Complex, Agartala, West Tripura, Pin 799010

2. The Secretary

Department of Finance, Government of Tripura, New Secretariat Building, New Capital Complex, Agartala, West Tripura, Pin 799010

3. Tripura Road Transport Corporation (TRTC)

A Government of Tripura undertaking to be represented by the Chairman, Tripura Road Transport Corporation, Krishnanagar, Agartala, West Tripura, Pin 799001

4. The Managing Director

Tripura Road Transport Corporation, Krishnanagar, Agartala, West Tripura, Pin 799001

5. The Secretary

Department of Transport, Government of Tripura, Paribahan Bhaban, Astabol, Northgate, Agartala, West Tripura District Pin 799001

..... Appellant(s)

– V e r s u s –

1. Narayan Chandra Saha

Son of Late Balai Charan Saha, Resident of Pabia Charra, near Post Office, North Tripura, Pin 799264, 72 Years

2. Mrinal Kanti Das

Son of Sri Monoranjan Das, Resident of-
Near TRTC, Kumarghat, Unakoti Tripura,
Pin-799264, 63 Years

3. Ranjit Dhar

Son of Late Nagendra Chandra Dhar,
Resident of Sukantanagar, Ratiabari,
Kumarghat, Unakoti Tripura, Pin- 799264,
63 Years

4. Nikhil Das

Son of Late Narendra Kumar Das, Resident
of Kumarghat, Near TRTC Stand Unakoti
Tripura, Pin- 799264, 62 Years

5. Pintu Roy

Son of Late Amrit Lal Roy, Resident of
Howrah, Near Barmantilla ICDS Office,
Agartala, West Tripura, Pin- 799003, 67
Years

..... Respondent(s)

In W.A. No.76 of 2024

1. The State of Tripura and Ors.

Represented by the Principal Secretary to the
Government of Tripura, Department of
Transport, Secretariat Building, New Capital
Complex, Agartala, West Tripura.

2. The State Of Tripura

Represented by the Principal Secretary to the
Government of Tripura, Department of
Finance, Secretariat Building, New Capital
Complex, Agartala, West Tripura

3. Tripura Road Transport Corporation

(A Government of Tripura undertaking)
represented by its Chairman, Krishnanagar,
P.O. Agartala, P.S. West Agartala, Dist.
West Tripura

4. The Managing Director

Tripura Road Transport Corporation, (A
Government of Tripura undertaking)
Krishnanagar, P.O. Agartala, P.S. West
Agartala, Dist. West Tripura

..... Appellant(s)

– V e r s u s –

1. Sri Subash Chandra Majumder, 73 years

S/O Late Ashwani Kumar Majumder, R/O Badharghat, Matripalli, Ward No.46, P.O.- Siddhi Ashram, PS.-Amtali, West Tripura

2. Sri Jagadish Roy, 68 years

S/O Late Nagendra Chandra Roy, C/O Sri Raindas Kar, R/O Akhaura Road, Agartala, West Tripura, Pin-799001

3. Sri Chinu Debnath, 67 years

S/O Late Jamini Debnath, R/O Krishnanagar, Old Kalibari Lane, Agartala, West Tripura, Pin- 799001.

4. Sri Swapan Kumar Saha, 62 years

S/O Late Dhrendra Chandra Saha, R/O Chandrapur Nath Para, Indranagar, Khayerpur, West Tripura, Pin- 799008

5. Sri Chitta Ranjan Saha, 70 years

S/O Late Ramani Mohan Saha, R/O Town Pratapgarh, Central Road Extension, Agartala, West Tripura, Pin- 799001.

6. Sri Subhash Chandra Biswas, 68 years

S/O Late Sonatan Biswas, R/O West Noabadi (Lalmatia), Anita)), West Tripura, Pin- 799045

7. Sri Parimal Chandra Deb, 70 years

S/O Late Subodh Chandra Deb, R/O Bordowali, Agartala, West Tripura, P.O. A.D.Nagar.

8. Sri Narayan Chandra Das, 70 years

S/O Late Sachendra Kumar Das, RIO North Radharghat, Unnayan Sangha, Agartala. West Tripura, P.O.- A.D.Nagar.

9. Sri Dipak Majumder, 65 years

S/O-Late Manindra Chandra Majumder, R/O Madhya Badharghat, Co- operative Para, Agartala, West Tripura, P.O.- Siddhi Ashram.

10. Smti Sandhya Debnath, 62 years

W/O Late Gopal Chandra Debnath, R/O Badharghat Co-operative pare, Agartala, West Tripura, P.O.- A.D. Nagar.

11. Sri Rati Ranjan Das, 70 years

S/O Late Genesh Chandra Das, R/O Krishnanagar, Nutanpalli (New Boys' Club Road), Agartala, West Tripura, P.O.- Agartala.

12. Sri Tapash Chandra Saha, 67 years

S/O Late Nityananda Saha, RIO Bhati Abhoynagar, Agartala, West Tripura, P.O. Agartala.

13. Sri Chandan Kumar Saha, 68 years

S/O Late Sarat Chandra Debnath, R/O Dhaleswar, Agartala, West Tripura, P.O.- Agartala.

14. Sri Nantu Chandra Deb, 62 years

S/O Late Lalmohan Deb, RIO Barjala, Agartala, West Tripura, P.O.- Ramnagar.

15. Sri Manik Lal Roy Barman, 68 years

S/O Late Makhan Lal Roy Barman, R/O Ramnagar Road No.4, Agartala, West Tripura, P.O.- Ramnagar.

16. Sri Laxman Chandra Das, 62 years

S/O Late Bhagaban Chandra Das, R/O Khilpara (Near Khilpara H.S.School), Udaipur, Gomati Tripura, P.O.-Khilpara.

17. Sri Ranjit Kumar Bhowmik, 72 years

S/O Late Prafulla Chandra Bhowmik, R/O Gokulpur, Udaipur, Gomati Tripura, P.O.- Gokulpur.

18. Sri Ajit Kumar Datta, 66 years

S/O- Late Prafulla Kumar Datta, North Badharghat, Agartala, West Tripura, P.O.- A.D.Nagar.

19. Sri Basudeb Debbarma, 66 years

S/O Late Mohan Chandra Debbanna, R/O Town Rajarbag, Udaipur, Gomati Tripura

20. Sri Sudhangshu Chandra Saha, 75 years

S/O Late Haladhar Chandra Saha, R/O Khilpara, Udaipur, Gomati Tripura, P.O. Khilpara

21. Sri Jatindra Gope, 61 years

S/O- Late Jamini Gope, R/O East Barjala (Lichubagan), Agartala, West Tripura, P.O.- Kathalbagan.

22. Sri Haridas Dey, 72 years

S/O Late Manaranjan Dey, R/O Krishnanagar, Old Kalibari Lane, Agartala, West Tripura, P.O.- Agartala.

23. Sri Haripada Malakar, 63 years

S/O Late Shyama Charan Malakar, R/O Ujan Abhoynagar, Agartala, West Tripura, P.O.- Agartala.

24. Sri Nihar Ranjan Debnath, 68 Years

S/O Late Hirendra Chandra Debnath, R/O Dhaleswar Road No.17, Agartala, West Tripura, P.O.- Agartala

25. Sri Dipak Kumar Das, 69 years

S/O Jogesh Chandra Das, R/O Ramnagar Road No.8, Agartala, West Tripura, P.O. Ramnagar.

26. Smti. Kamana Dey, 56 years

W/O Late Manik Chandra Dey, R/O North Banamalipur, P.O.-Agartala, West Tripura.

27. Sri Samar Paul, 68 years

S/O Late Amar Chan Paul, R/O Ramnagar Road No.8, Agartala, West Tripura, Pin-799001.

28. Sri Kalidas Paul, 69 years

S/O Late Gobinda Chandra Paul, R/O Shyamali Bazar, Malanchanagar, Agartala, West Tripura, P.O.- Kunjaban.

29. Sri Swapan Kumar Bhowmik, 69 years

S/O Late Mahendra Chandra Bhowmik, R/O Office Tilla (Palpara), Sepahijala Tripura, P.O.- Bishalgarh.

30. Smti Doli Dey, 56 years

W/O late Babul Chandra Dey @ Babul Dey, S/O Late Jiban Krishna Dey, R/O Krishnanagar, Agartala, West Tripura, Pin-799001.

31. Sri Dharani Bhusan Datta, 72 years
S/O Late Dharendra Kumar Dana, 1210
Algapur Road, Dharmanagar, North Tripura.
P.O. Algapur.

32. Sri Dinesh Prasad Yadav, 73 years
S/O Late Bhogi Yadav, R/O Rajabari, P.O.-
Rajabari, P.O.- Rajabari, Dharmanagar,
North Tripura

33. Smti Gouri Dey, 63 years
W/O Late Sankar Dey, R/O North
Banamalipur, Agartala, West Tripura, P.O-
Agartala.

33. Smti Sumitra Das, 42 years
W/O Late Dipak Das, R/O North
Banamalipur (Opposite to Indian Airlines
Office), Agartala, West Tripura, P.O.
Agartala.

35. Smti Mita Pal (Dey), 52 years
W/O Late Narayan Chandra Dey, RIO North
Banamalipur (Opposite to Indian Airlines
Office), Agartala, West Tripura, P.O.
Agartala.

36. Sri Swapan Banik, 70 years
S/O Late Kalachand Banik, R/O Dhaleswar,
A.A. Road, P.O.-Dhaleswar, Agartala, West
Tripura.

37. Sri Gopal Krishna Saha, 66 years
S/O Late Harimohan Saha, R/O 79 Tilla,
Saradapalli, Agartala, West Tripura, Pin-
799009

38. Sri Niranjan Shil, 69 years
S/O Late Rajendra Shil, R/O Joynagar, near
Upendra Vidya Bhavan, Agartala, West
Tripura, Pin- 799001.

39. Sri Haradhan Debnath, 61 years
S/O Late Birendra Debnath, R/O Dakshin
Charilam, Sepahijala Tripura, P.O.-Dakshin
Charilam.

40. Sri Pradip Chakraborty, 66 years
S/O Late Dinesh Chakraborty, R/O Dinesh
Apartment, Ramnagar Road No.4, Agartala,
West Tripura, Pin-799002.

41. Sri Sunil Das Bhaisnab, 66 years

S/O Late Kangali Das Baishnab, R/O Rajarbag, Udaipur, Gm-lad Tripura, P.O.-Rajarbag.

42. Sri Ajit Kumar Lodh, 65 years

S/O Late Gopal Chandra Lodh, Bishalgarh, Sepahijala, Tripura, P.O.- Bishalgarh

43. Sri Ganendra Bhowmik, 62 years

S/O Late Bidyadhar Bhowmik, Ivo Raghunathpur, Bishalgarh, Sepahijala Tripura, P.O.- Bishalgarh.

44. Sri Jnananjan Roy, 67 years

S/O Late Dwijendra Bijoy Roy, RIO Flat No. 1A, Alati Apartment, 23 Baghajatin Station Road, M Kolkata, West Bengal, Pin- 700032

45. Sri Shyam Lal Saha, 73 years

S/O Late Lalit Mohan Saha, RIO Madhya Badharghat near Co-operative para, Agartala, West Tripura, P.O.- Siddhi Ashram

46. Sri Sadhan Paul, 65 years

S/O Nikunja Bihari Paul, RIO Gurkhabasti, P.O.-Kathalbagan, Agartala, West Tripura.

47. Sri Babul Ranjan Singha, 71 years

S/O Late Rash Mohan Singha, RIO Hospital Road Extension, Near Gandhighat, Agartala, West Tripura, P.O.- Agartala.

48. Sri Parimal Chandra Saha, 70 years

Late Monmohan Sah, Dhaleswar Road No.6, Old Jail Road, Agartala, West Tripura, P.O.- Dhaleswar

49. Sr Kajal Debbarma, 68 years

S/O Late Harimohan Debbarma, R/O Krishnanagar Nazir Bari, Agartala, West Tripura, P.O.- Agartala.

50. Sri Kshitish Chandra Saha, 72 years

S/O Late Rash Mohan Saha, 510 Netaji Subhash Road, Agartala, West Tripura, P.O.- Agartala.

51. Sri Nonigopal Roy, 68 years

S/O Late Bharat Chandra Roy, R/O Madhya Badharghat, Agartala, West Tripura, P.O.- Siddhiashram.

52. Sri Chinta haran Barman, 70 years

S/O Late Lalit Mohan Barman, RIO Madhya Badharghat, Agartala, West Tripura, P.O.- Siddhi Ashram.

53. Sri Lehow Singha, 71 years

S/O Late Kamani Singha, R/O Barjala, Agartala, West Tripura, P.O. Ramnagar

54. Sri Chandan De, 66 years

S/O Late Narendra Chandra De, R/O R.K.Nagar, West Noabadi (Lalmatia), West Tripura, P.O.- West Noabadi

55. Sri Makhan Lal Bhowmik, 70 years

S/O Late Thakurdas Bhowmik, R/O Town Rajarbag, Udaipur, Gomati Tripura, P.O.- R.K.Pur.

56. Sri Rakhal Chandra Baidya, 61 years

S/O Late Satindra Kumar Baidya, R/O Town Rajarbag, Udaipur, Gomati Tripura, Pin- 799120

57. Sri Mongal Miah, 61 years

S/O Late Manaranjan Dey, R/O Rajarbag, Udaipur, Gomati Tripura, Pin- 799120

58. Sri Sambhu Das, 64 years

S/O Late Nabadwip Chandra Das, R/O Abhoynagar, Agartala, West Tripura, Pin- 799005.

59. Sri Sankar Chandra Das @ Sankar Das, 66 years

S/O Late Barada Kanta Das, R/O Dwarikapur, Teliamura, Khowai Tripura, P.O.- Dwarikapur

60. Sri Gopal Rabi Das, 67 years

S/O Late Moni Lal Robi Das, R/O South Ramnagar, Agartala, West Tripura, P.O. Agartala

61. Sri Nepal Chandra Malakar, 68 years

S/O Late Gopal Chandra Malakar, R/O Shahid Khudiram Bose Lane, Agartala, West Tripura, P.O.- Dhaleswar.

62. Sri Bijoy Kuram Shil

S/O Late Raj Mohan Shil, R/O Joy Nagar, Dakshini Ghat, Agartala, West Tripura, P.O.- Agartala.

63. Sri Arun Das, 68 years

S/O- Late Dinesh Chandra Das, R/O-
Ramngar Road No.7, Agartala, West
Tripura, Pin-799002

..... Respondent(s)

In W.A. No.78 of 2024

1. The State of Tripura and Ors.

to be represented by the Secretary,
Department of Finance, Government of
Tripura, New Secretariat Building, New
Capital Complex, Agartala, West Tripura,
Pin- 799010.

2. The Secretary

Department of Finance, Government of
Tripura, New Secretariat Building, New
Capital Complex, Agartala, West Tripura,
Pin- 799010

3. Tripura Road Transport Corporation (TRTC)

(A Government of Tripura undertaking) to be
represented by the Chairman, Tripura Road
Transport Corporation, Krishnanagar,
Agartala, West Tripura, Pin-799001.

4. The Managing Director

Tripura Road Transport Corporation,
Krishnanagar, Agartala, West Tripura, Pin
799001

5. The Secretary

Department of Transport, Government of
Tripura, Paribahan Bhaban, Astabol,
Northgate, Agartala, West Tripura District,
Pin-799001

6. The Commissioner

Department of Transport, Government of
Tripura, Paribahan Bhaban, Astabol,
Northgate, Agartala, West Tripura District,
Pin-799001

..... Appellant (s)

– V e r s u s –

1. Bikash Bhowmik,

Son of late Rabindra Lal Bhowmik, Resident
of Near Kalibari, Kailashahar, North Tripura,
Pin – 799277, 66 years

2. Gobinda Paul Choudhury

Son of Late Braja Behari Paul Choudhury,
Resident of Boulapassa, Kailashahar,
Unakoti Tripura, Pin-799277, 62 years

3. Biswajit Ghosh

Son of- Late Ajit Kumar Ghosh, Resident of
Kataldighirpar, Kailashahar, North Tripura,
Pin- 799277, 68 years

4. Ramendra Chandra De

Son of Late Rasamoy De, Resident of
Kacharghat, Near Community Hall
Kailashahar, North Tripura, Pin-799277, 70
years

5. Arabinda Chakraborty,

Son of Late Ashwani Chakraborty, Resident
of- South Kacharghat, Near Navogagrata
Club Kailashahar, North Tripura, Pin-
799277, 68 years

..... Respondent(s)

In W.A. No.81 of 2024

1. The State of Tripura and Ors.

to be represented by the Secretary,
Department of Finance, Government of
Tripura, New Secretariat Building, New
Capital Complex, Agartala, West Tripura,
Pin-799010.

2. The Secretary

Department of Finance, Government of
Tripura, New Secretariat Building, New
Capital Complex, Agartala, West Tripura,
Pin-799010.

3. Tripura Road Transport Corporation (TRTC)

(A Government of Tripura undertaking) to be
represented by the Chairman, Tripura Road
Transport Corporation, Krishnanagar,
Agartala, West Tripura, Pin-799001.

4. The Managing Director

Tripura Road Transport Corporation,
Krishnanagar, Agartala, West Tripura, Pin-
799001.

5. The Secretary

Department of Transport, Government of
Tripura, Paribahan Bhaban, Astabol,

Northgate, Agartala, West Tripura District,
Pin-799001.

..... Appellant(s)

– V e r s u s –

1. Nirmal Kanti Goswami and Ors.

Son of Late Uday Chand Goswami, Resident of - Algapur, Baruakandi, North Tripura, Pin- 799251, 73 years

2. Bikash Ranjan Paul

Son of Late Bipin Chandra Paul, Resident of Krishnapur, Dhuriband, North Tripura, 70 years

3. Ashok Das

Son of- Late Akhil Chandra Das, Resident of Rabindra Sarani, Dharmanagar, North Tripura, 69 years

4. Subrata Chakraborty

Son of Late Satyandranath Chakraborty, Resident of kalibari Road, Dharmanagar, North Tripura, 65 years

5. Benu Madhab Das

Son of Late Harendra Chandra Das, Resident of Post Office road, Dharmanagar, North Tripura, 67 years

6. Anil Chandra Kar

Son of Late Mikhil Chandra Kar, Resident of Jaggashwar Sarani, Dharmanagar, North Tripura, 66 years

7. Subash Bhowmik

Son of Late Pulin Bihari Bhowmik, Resident of Post Office Road, Dharmanagar, North Tripura, 65 years

8. Bipul Kanti Deb

Son of Late Barindra Kumar Deb, Resident of Taramgini Lane Dharmanagar, North Aripura, 799250, 67 years

9. Moloy Bhushan Dey

Son of Late Makhan Chandra Dey, Resident of Kameswar, Kalibari A.M.C. North Tripura. Pin- 799253, 64 years

10. Jiben Chandra Roy

Son of late Birendra Lal Ray, Resident of Shilbbari Charapur, Dharmanagar North Tripura, Pin- 799250, 63 years

..... Respondent(s)

In W.A. No.82 of 2024

1. The State of Tripura and Ors.

to be represented by the Secretary, Department of Finance, Government of Tripura, New Secretariat Building, New Capital Complex, Agartala, West Tripura, Pin- 799010.

2. The Secretary

Department of Finance, Government of Tripura, New Secretariat Building, New Capital Complex, Agartala, West Tripura, Pin - 799010.

3. Tripura Road Transport Corporation (TRTC)

(A Government of Tripura undertaking) to be represented by the Chairman, Tripura Road Transport Corporation, Krishnanagar, Agartala, West Tripura, Pin- 799001.

4. The Managing Director

Tripura Road Transport Corporation, Krishnanagar, Agartala, West Tripura, Pin- 799001.

5. The Secretary

Department of Transport, Government of Tripura, Paribahan Bhaban, Astabol, Northgate, Agartala, West Tripura District, Pin - 799001.

..... Appellant(s)

– V e r s u s –

1. Kartik Bhowmik.

Son of Late Pyari Mohan Bhowmik, Resident of Shibnagar, College Road, East Agartala, West Tripura, Pin – 799004, 62 years

2. Nepal Debnath

Son of Late Dwarika Debnath, Resident of- Town Bordowali, Near Forest Office, Agartala A.M.C., West Tripura, Pin-799001, 62 years

..... Respondent(s)

For the Appellant (s)	:	Mr. S.S. Dey, Advocate General Ms. A. Chakraborty, Adv. Ms. D. Sarma, Addl. GA				
For the Respondent (s)	:	Mr. P Roy Barman, Sr. Adv. Mr. Samarjit Bhattacharjee, Adv. Ms. R. Purkayastha, Adv.				
Date of hearing and delivery of Judgment & order	:	23.09.2024				
Whether fit for reporting	:	<table border="1"><tr><td>YES</td><td>NO</td></tr><tr><td></td><td>✓</td></tr></table>	YES	NO		✓
YES	NO					
	✓					

**HON’BLE THE CHIEF JUSTICE APARESH KUMAR SINGH
HON’BLE MR. JUSTICE S. DATTA PURKAYASTHA**

JUDGMENT & ORDER (ORAL)

Heard Mr. S.S. Dey, learned Advocate General appearing for the state-appellants and Mr. P. Roy Barman, learned senior counsel assisted by Mr. Samarjit Bhattacharjee, learned counsel appearing for the writ petitioner-respondents in some appeals. As agreed by the learned counsel of both sides, the appeals are being disposed of at admission stage.

[2] All the Writ Appeals have arisen out of the common judgment and order dated 26.04.2024 passed by the learned Writ Court in W.P.(C) No.489 of 2023 decided analogously with 14 other similar writ petitions. Therefore, both the appeals are heard together and are disposed of by this common judgment.

[3] All the writ petitioners were the employees of Tripura Road Transport Corporation (for short- TRTC) in different capacities and on attaining the age of superannuation, all of them went on retirement but they were not allowed to draw Leave Encashment as a part of their retiral benefits. For that reason, they sent representations to the respondent-appellants and the same being regretted, they all filed the above said 15 number of writ petitions.

[4] Some of them also earlier filed some writ petitions and same were disposed of by the learned writ court directing the respondent-appellants to consider their representation and for non-compliance of such direction, contempt proceeding was also initiated which was ultimately disposed of by the Court as the TRTC placed a communication before the Court indicating that the corporation was having no objection to make the payment but due to financial constraint, they had requested the State Government for sanctioning of required fund. Later on, when no fruitful result came out, all the above said writ petitions were again filed. Anyway, after hearing, by the impugned judgment, learned writ court finally passed the following order:

64. In view of the above discussion, the writ petitions are allowed declaring the petitioners entitled for the leave encashment and there shall be a direction to the TRTC respondents herein, to look into the matter and settle the claim of the petitioners as expeditiously as possible preferably within a period of six months from the date of receipt of the copy of this order. In default, the petitioners may avail remedies before the competent Civil Court for recovery of the said amount.

[5] While giving such directions, it was observed by the learned writ court that the TRTC had recognised the entitlement of its employee under Rule to have earned leave and moreover, vide notification dated 12.05.1972 it was prescribed that all the state rules were applicable to the employees of said Corporation and so far as the TRTC Act and Rules were concerned, there was no express provision for providing or dealing with the leave encashment to its employees, however, when there was no inconsistency and since the provision pertaining to leave encashment were silent in the TRTC Act and Rules, Tripura Civil Services Rules would apply. It was also observed by the learned writ court that the respondents had already extended leave encashment benefit to some of its employee and therefore, the action of the Corporation in respect of the present writ petitioners with regard to payment of leave encashment was discriminatory. Moreover, the TRTC authority also made a communication dated 08.09.2023 to the Finance Department indicating the need of Rs.14,17,31,141/- to settle the leave encashment demand of its employee and it was, therefore, manifested

that the TRTC was also interested to pay the said amount but they were not in a position to meet the financial burden and had to depend on the State Government. Finally, the writ court held that the writ petitioners were entitled to have leave encashment benefit.

[6] Ld. Writ Court also took note of a decision of the Apex Court rendered in *Jagadish Prasad Saini & ors. v. State of Rajasthan & ors., 2022 Live Law (SC) 801*, where dealing with the issue of issue of leave encashment benefit of employees of who were initially employees of grant in aid school and later on absorbed in State service of Rajasthan, the Apex Court made reference of another decision of the said Court in case of *State of Rajasthan & anr. V. Senior Higher Secondary School, Lachhmangarh, 2005 (10) SCC 34*. In that case, while referring to the provision of sections 2(r) and 29 of Rajasthan Non-Government Educational Institutions Act, 1989 it was observed that the expression “pay and allowances” has a wider connotation and it includes the benefit of leave encashment which is nothing but salary for the unavailed leave to the credit of the employee.

[7] On 05.08.2024 when all the appeals were taken up for admission, Mr. Dey, learned Advocate General initially sought time to have deliberation with the officials of the State Government and the Corporation on the issue of preparing a scheme through which admissible amount under the leave encashment would be disbursed to the eligible employees in view of weak financial condition of TRTC. Finally, on 21.09.2024 an affidavit has been submitted by the Managing Director of TRTC and for useful purposes, the relevant portion of the affidavit is extracted herein below:

“2. That the humble Writ Appellants beg to submit that the TRTC Management with the guidance of the State Government has come up with a roadmap containing means and measures to pay leave salary to the retired employees of the Corporation.

3. That TRTC Management shall make all endeavours to clear the leave salary dues of its retired employees in the following disbursement schedule:

Sl. No.	Year of Retirement	Number of Employees	Amount involved (Rs. In Lakhs)	Remarks shall cleared within
1	1995-2000	75	17.82	Within a month, i.e., by September, 2024
2	2001-2005	129	53.50	May, 2025
3	2006-2010	249	229.86	January, 2026

Alongside the above schedule of payment, leave encashment dues in respect of all employees retiring post 2010 till 2024 will be cleared within December, 2027.

4. That hence a total time period of three years up till December, 2027 shall be required to clear all pending and current leave encashment dues. It is further most humbly submitted that the TRTC Management will not be capable of taking any further burden of interest amount on any leave encashment dues on the plea of delayed payment as per the schedule proposed hereinabove. Hence, no interest component may be allowed to be charged on payment of any leave salary.....”

[8] Mr. Dey, learned Advocate General in view of the above said affidavit submitted by the Managing Director of TRTC submits that all the writ appeals may be disposed of in the light of the assertions made in the said affidavit giving a scope to the Corporation to clear up all pending and current leave encashment dues to the retired employees of TRTC by December, 2027.

[9] Mr. Roy Barman, learned senior counsel on the other hand submits that while clearing the dues on leave encashment, priority may be given to the present writ petitioners who have already approached this Court and after their dues are paid, payment may be made to the other similarly situated retired employees. Mr. Roy Barman, learned senior counsel also submits that some of the writ petitioners i.e. respondents of the present appeals have already expired without getting the benefit of such leave encashment and if their claims are not settled by the Corporation, their legal representatives will be in serious financial sufferance.

[10] We have given our due consideration to the affidavit submitted by the Corporation and are of the view that the TRTC should endeavour to clear up all the

dues under leave encashment to all the retired employees of TRTC by December, 2026 ahead of their projected date of December, 2027, by generating it resources. We are however also of the view that if the submission of Mr. Roy Barman, learned senior counsel that first of all payment should be made to all the present writ petitioners, is allowed, it will invite further complicacies in the matter of clearing up the dues of leave encashment to all the retired employees in an uniform and phased manner by the TRTC and as such, such request is not accepted.

[11] Situated thus, in the light of the undertaking given by the TRTC, the appellants should make all efforts to ensure that the leave encashment benefits are paid to all the retired employees of the TRTC as per their eligibility who have gone into retirement from 1995 till date, in a phased manner by December, 2027 and if possible, even earlier as observed in the previous paragraph. In the cases where the original writ petitioners have already expired, the appellants shall make payment of such leave encashment benefit to their respective legal representatives as per eligibility within next six months.

[12] With such observations and directions, the impugned judgment is partly modified. All the appeals are accordingly disposed of.

Interim application(s), if any, also stands disposed of.

(S.D. PURKAYASTHA), J

(APARESH KUMAR SINGH), CJ

SUJAY GHOSH Digitally signed by SUJAY GHOSH
Date: 2024.10.07 14:45:47 +05'30'

Sujay