

**HIGH COURT OF TRIPURA
AGARTALA
WP(C) NO.443 OF 2023**

Smt. Sikha Rani Sarkar
Vs.
The State of Tripura and ors.

HON'BLE MR. JUSTICE T. AMARNATH GOUD

Present:

For the Petitioner(s) : Mr. K. Nath, Advocate.

For the Respondent(s) : Mr. B. Majumder, Deputy SGI.
Mr. D. Sharma, Addl. G.A.

29.01.2024

Order

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 like nature shall not be issued whereby quashing the letter, dated 24.05.2023, issued by the Sr. Account Officer, O/o the Accountant General(A&E).

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 whereby restraining the respondents not to re-fix the last basic pay of the petitioner and restrained the Respondents from reducing the last basic pay of the petitioner from Rs.60,800/- to Rs.59,000/-.

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 whereby directing the Respondents not to recover any amount from the regular monthly pension of the petitioner on account of the alleged excess payment.

iv. The Hon'ble High Court may pass interim order staying the operation of the letter, dated, 24.05.2023 issued by the Sr. Account Officer, O/o the Accountant General (A & E) during the pendency of this writ petition.

v. The Hon'ble High Court may pass necessary direction/order during the pendency of the writ petition by directing the Respondents to release the arrear pension of the petitioner which has fallen due to the stoppage of the monthly pension since June, 2023 and to continue to make payment of regular monthly pension.

vi. Make the rules absolute.

vii. Call for records.

viii. Pass any further order/orders as this Hon'ble High Court considered fit and proper."

Heard Mr. K. Nath, learned counsel appearing for the petitioner as well as Mr. D. Sharma, learned Addl. G.A. appearing for the State-respondents as well as Mr. B. Majumder, learned Deputy SGI appearing for the Union respondents.

As submitted by learned counsel appearing for the petitioner, it is seen from the record that the petitioner herein has submitted a representation dated 20.06.2023 before the respondents seeking her reliefs and the same is pending till date. As such, without going into its merit, the present writ petition is disposed of with a direction upon the respondents to consider the representation dated 20.06.2023 submitted by the petitioner in accordance with law. This exercise shall be completed by the respondents within a period of 3(three) months from the date of receipt of the copy of this Order. Any such decision taken by the respondents in this regard shall be communicated to the petitioner herein by the respondents.

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

JUDGE

suhanjit

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SUHANJIT
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SUHANJIT SINGHA
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