

HIGH COURT OF TRIPURA
AGARTALA

WP(C) 688 OF 2024

Dr. Sahani Debbarma, D/o Lt. Monoranjan Debbarma,
R/o Vill Urabari, Tarapur, Purba Noagaon, West Tripura,
Pin-799211.

Vs.

1. The State of Tripura, represented by the Secretary,
Health and Family Welfare Department, Government of Tripura,
New Secretariat Building, New Capital Complex, Agartala,
West Tripura, Pin-799010.

2. The Director, Directorate of Health Services, Govt. of Tripura,
P.N. Complex, Gurkhabasti, Agartala, West Tripura.

3. The Deputy Secretary, Health and Family Welfare Department,
Government of Tripura, New Secretariat Building, New Capital Complex,
Agartala, West Tripura, Pin-799010.

4. The Secretary, Department of Finance, Govt. of Tripura,
New Secretariat Building, New Capital Complex,
Agartala, West Tripura, Pin-799010.

For the petitioner (s) : Mr. P. Roy Barman, Sr. Advocate.
Ms. S. Debbarma, Advocate.

For the respondent (s) : Mr. M. Debbarma, Addl. G.A.

HON'BLE MR. JUSTICE ARINDAM LODH

14.11.2024

Order

By means of filing the present writ petition, the petitioner has
prayed for 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 directing the Respondents to release salary of the Petitioner w.e.f. 01.06.2024

(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 quashing and cancelling the Memorandum, dated, 20.11.2023.

(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 to sanction permissible leave/ study leave for prosecuting PG Course.

(iv) *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 to treat the Petitioner as "Training Reserve" for three years w.e.f. 04.05.2022 to 04.05.2025 during her PG Course at AGMC & GBP Hospital.*

(v) *Call for the records pertaining to the instant Writ Petition from the custody of the Respondents.*

(vi) *Make the Rules absolute after hearing the Parties."*

Heard Mr. P. Roy Barman, learned senior counsel assisted by Ms. S. Debbarman, learned counsel appearing for the petitioner. Also heard Mr. M. Debbarma, learned Addl. G.A. appearing for the State-respondents.

Mr. Debbarma, learned Addl. G.A. at the very outset has produced the record file of the department concerned before this Court and submitted that necessary order may be passed by this Court on the basis of the Note nos. 4 and 5 of the relevant file. Note No.5, dated 13.11.2024, is relevant to the reliefs claimed for by the petitioner, which is reproduced here-under:

"Due to wanting leave sanction order the salary of De. Debbarma was held (sic withheld) w.e.f. 1-06-24. A file has been moved to the Govt. for sanctioning 3 years Training Reserve leave (with pay) in r/o Dr. Debbarma which is awaited for approval till date.

In view of the above the C.M.O.(W) may be requested to release her salary if possible, on humanitarian ground.

The file may kindly be moved to the N.O.(Law) if agreed to."

From the above Note, it is clear that the respondents have taken initiative to release the salary of the petitioner. However, since the salary has not been released and the petitioner is facing difficulty in pursuing her MD Course, I direct the respondents to release the salary of the petitioner in accordance with law within a period of 7(seven) days from today.

With the above direction, the writ petition accordingly stands disposed of.

JUDGE