

HIGH COURT OF TRIPURA
AGARTALA

WP(C) 800 OF 2022

Sri Sukanta Chanda, s/o Sri Sudhangshu Chanda, r/o
Vill-Subhas Nagar, P.O. +P.S. Kanchanpur, District-North Tripura,
Pin-799270, Aged about-34 years.

.....**Petitioner.**

Vs.

- 1. The State of Tripura**, represented by its Principal Secretary,
Revenue Department, Govt. of Tripura, P.O. Kunjaban, P.S. New
Capital Complex, District-West Tripura, Pin-799006.
- 2. The Principal Secretary**,
Revenue Department, Government of Tripura, P.O. Kunjaban, P.S. New
Capital Complex, District-West Tripura, Pin-799006.
- 3. The District Magistrate and Collector**, North Tripura, Dharmanagar,
P.O. + P.S. Dharmanagar, District-North Tripura, Pin-799250.
- 4. The Sub-divisional Magistrate**, Kanchanpur, P.O. + P.S. Kanchanpur,
District- North Tripura, Pin-799270.
- 5. The Principal Secretary**, Finance Department, Govt. of Tripura, P.O.
+ P.S. Kunjaban, P.S. New Capital Complex, District-West Tripura, Pin-
799006.

..... **Respondents.**

For the petitioner : Mr. A. Bhaumik, Advocate.

For the respondents : Mr. Kohinoor N. Bhattacharyya, G.A.

Date of hearing and : **27.08.2024.**
date of delivery of :
judgment & Order

Whether fit for
reporting : Yes/No

HON'BLE MR.JUSTICE ARINDAM LODH
Judgment & Order (Oral)

By means of filing the instant writ petition, the petitioner has
prayed for the minimum pay scale relevant to the post of Cook under the State
Govt. on the principle of equal pay for equal work.

2. I have heard Mr. A. Bhaumik, learned counsel appearing for the petitioner as well as Mr. Kohinoor N. Bhattacharyya, learned G.A. appearing for the State-respondents.

Mr. Bhattacharyya, learned G.A. has submitted that the State-respondents have submitted their counter affidavit through Online and the hard copy would be filed today.

3. From the records particularly *Annexure-1* to the writ petition it comes to light that the petitioner was engaged as 'Voucher Payee' worker to work at Kanchanpur Revenue Dak Bungalow as a Cook in the year 2006 and it is submitted that in the year 2009, he was considered as a contingent worker. Mr. Bhaumik, learned counsel appearing for the petitioner has further submitted that the remuneration of the contingent worker has been increased in the meantime by the Government of Tripura by circular dated 27th December, 2022 [*Annexure-10* to the writ petition]. Learned counsel has reiterated that the petitioner has submitted representation on 25.07.2022 [*Annexure-4* to the writ petition] to the concerned authority to pay him the increased remuneration, but the same was not considered by the respondents.

4. I have considered the submissions of learned counsel appearing for the parties. I am afraid as to how a 'Voucher Payee' employee can invite the discretionary and extra-ordinary jurisdiction of this Court vested upon it under Article 226 of the Constitution of India? In my opinion, the petitioner does not hold any civil post. As such he has no *locus* to ask this Court to exercise its writ jurisdiction under Article 226 of the Constitution of India.

5. In view of the above, I do not find any merit in the writ petition. Accordingly, the same is dismissed. There shall be no order as to costs.

6. However, in the light of foregoing discussions, out of sympathy, I direct the respondents to consider the representation of the petitioner within a period six weeks' from today and communicate the same to the petitioner within two weeks thereafter.

JUDGE

SANJAY GHOSH

sanjay

Digitally signed by SANJAY GHOSH
Date: 2024.08.28 16:30:23 +05'30'

