

**HIGH COURT OF TRIPURA
AGARTALA
WP(C) No. 708 of 2024**
***Sri Taisa Ram Reang* Petitioner(s)**
Versus
***The State of Tripura & Ors.* Respondent(s)**

For Petitioner(s) : Mr. C.S Sinha, Advocate.

For Respondent(s) : Mr. D. Bhattacharya, Sr. Advocate.
Mr. P. Gautam, Advocate.
Mr. M. Debbarma, Addl. G.A.
Mr. S. Saha, Advocate.

HON'BLE MR. JUSTICE T. AMARNATH GOUD

ORDER

25.11.2024

Heard Mr. C. S Sinha, learned counsel appearing for the petitioner. Also heard Mr. P. Gautam, learned counsel appearing for respondents-State. Mr. D. Bhattacharya, learned Sr. counsel assisted by Mr. S. Saha, learned counsel appearing for their concerned-respondent(s).

[2] This petition has been filed under Article 226 of the Constitution of India seeking the following reliefs:-

i. Admit this petitioner;

ii. Call for the records.

iii. Issue writ in the nature of Mandamus calling upon the respondents to show cause as to why gratuity and leave salary and others retirement should not be released with interest, with effect from the date of the retirement dated 30.11.2023.

iv. Issue writ in certiorari calling upon the respondents to show cause as to why the order in Message dated 05.12.2023, should not be set aside and quashed."

[3] Mr. C.S. Sinha, learned counsel appearing for the petitioner submits before this Court that his client worked as Assistant Director (Ad-hoc) of Food & Civil Supplies Department under Government of Tripura, that while in service he submitted that 03 incumbents wrongly supplied rice to Bruha Para Shop. After that when it came to notice of the petitioner he filed an FIR at Ambassa Police Station. Thereafter on 10.11.2023 a show cause notice was issued against him stating his carelessness in performing duty although a reply was also given by him in this regard.

[4] Mr. Sinha, learned counsel further submits that an e-message dated 05.12.2023 was also sent to SDM, Ambassa, from the Additional Secretary & Director, FCS & CA in connection with misappropriation of rice from Government Food Go-down stating that since a show cause notice has been issued against him, thereby not to release any leave salary and gratuity till finalization of the matter. Lastly, he prayed before this Court that the allegation brought against him be dismissed.

[5] Heard and perused the evidence on record.

[6] After perusal of the record, it has been seen that a show cause notice dated 10.11.2023 and an e-message dated 05.12.2023 have been issued against the petitioner and the petitioner herein submitted reply to the notices but got no response.

[7] In view of such circumstances, without expressing any opinion on the merits of the case, this writ petition is disposed of, directing the respondent No.2 to conclude an enquiry in pursuance to the crime, show cause notice and consider the explanation, if any, already decided, decide the matter as expeditiously as possible and also reconsider the e-message dated 05.12.2023 in light of the result of the

enquiry and take a decision in this regard. The respondent(s) shall communicate the decision to the petitioner as early as possible.

[8] With the above observation and direction, this present writ petition stands disposed of. As a sequel, miscellaneous application(s), pending if any, shall stand closed.

JUDGE

Paritosh

