

**HIGH COURT OF TRIPURA
AGARTALA**

WP(C) 793 of 2023

Smt. Mukul Rani Debnath

---Petitioner(s)

Versus

The State of Tripura and 2 Ors.

---Respondent(s)

For Petitioner (s)	:	Mr. PK Pal, Advocate. Mr. S. Datta, Advocate.
For Respondent(s)	:	Mr. M. Debbarma, Addl. GA.

HON'BLE MR. JUSTICE T. AMARNATH GOUD

Judgment & Order (Oral)

09.09.2024

Heard learned counsel for the parties.

[2] This is a writ petition under Article 226 of the Constitution of India for seeking the following relief(s)

- (i) *Admit the Writ Petition.*
- (ii) *Call for Records.*
- (iii) *Issue rule calling upon the respondents to show cause as to why a writ in the nature of mandamus or like nature should not be issued upon the respondents to allow the Petitioner to join her duties as Anganwadi Worker at Dakshin Laxman Dhepa, Jumer Dhepa Sector under Melaghar ICDS project, Sepahijala by way of implementation of the Judgement & Order dated, 10.03.2023 as well as by cancelling the appointment of Smt. Smriti Debnath a substitute Anganwadi worker posted in Dakshin Laxman Dhepa under JumerDhepa, Melaghar ICDS Project.*

AND

- (iv) *After hearing the parties be pleased to make the rules absolute.*

AND

- (v) *To pass any other relief/reliefs may be granted as this Hon'ble High Court may deem fit and proper.*

[3] It is the case of the petitioner that the petitioner is an Anganwadi worker and posted at Dakshin Laxman Dhepa, Jumer Dhepa Sector under Melaghar ICDS project, Sepahijala District. During the pandemic period of COVID-19, she was attacked with Corona Virus(suspected) and she remained in home quarantine for 14

days according to the advice of her consultant physician at Agartala and thereafter she went through extreme domestic violence and disturbances with her husband and other matrimonial in-mates, so, she could not attend her duties w.c.f 02.08.2020 to 31.08.2020. On 01.09.2020, while she went to join her duties, she had been prevented to join.

[4] Thereafter, inspite of making all out efforts, while she became failure to join her duties, she was compelled to approach before this Hon'ble High Court of Tripura with a Writ Petition No. W.P. (C) 1026 of 2022 seeking direction upon the respondents to allow her to join her duties. On 10.03.2023, on motion stage, this Hon'ble High Court of Tripura passed an Order and Judgement dated, 10.03.2023, directed the respondents herein to consider the case of the petitioner more in the light of the legal notice which has been issued on 20.10.2022 and the decision shall be communicated to the petitioner as well as to the lawyer within a period of 2(two) months from the date of receipt of this Order. But the respondents after expiry of this stipulated period not being considered the case of the petitioner, on the contrary by issuing a letter dated, 04.08.2023, the petitioner was asked to appear before the respondent No.2 and to explain as to why she will not be terminated from the post of Anganwadi Worker. Being aggrieved by the letter dated, 04.08.2023, the petitioner filed a contempt petition and thereafter contempt appeal respectively before this Court. But according to this Court the actions of the respondents is not considered as Contempt. Hence this writ petition.

[5] It is agreed by both sides that the petitioner shall appear before the Laxman Dhepa Gram Panchayat, Nalchar R.D. Block, Sepahijala, Tripura on 23.09.2024 at 11 am. She may make her submission orally or by way of written application along with any evidence before the respondents. On hearing the petitioner

and examining any such record that will be so furnished, the said Gram Panchayat shall pass a reasoned order in accordance with law.

[6] With the above observation and direction, this present writ petition stands disposed of. As a sequel, stay, if any, stands vacated. Pending application(s), if any, also stands closed.

HIGH COURT OF TRIPURA

JUDGE



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