

HIGH COURT OF TRIPURA
_A_G_A_R_T_A_L_A_
WP(C) No.806 of 2023

Sri Rupak Nandi & 20 Others

.....Petitioners

_V_E_R_S_U_S_

The State of Tripura and 3 Others

.....Respondents

For Petitioner(s)	:	Mr. P. Roy Barman, Sr. Advocate. Mr. D. Paul, Advocate.
For Respondent(s)	:	Mr. M. Debbarma, Addl. G.A.

HON'BLE MR. JUSTICE T. AMARNATH GOUD
_O_R_D_E_R_

23.02.2024

Heard Mr. P. Roy Barman, learned senior counsel assisted by Mr. D. Paul, learned counsel appearing for the petitioners also heard Mr. M. Debbarma, learned Addl. G.A. appearing for the respondents.

The present petition has been filed under Article-226 of the Constitution of India for directing the respondents to enhance monthly pension of the petitioners from Rs.2,500/- to Rs.10,000/-.

The petitioners have prayed for the following reliefs:

- a. Issue Rule upon the Respondents to show cause as to why a Writ in the nature of Mandamus and/or any other order/orders shall not be issued whereby directing the Respondents to enhance monthly pension of the Petitioners from Rs 2,500 to Rs 10,000/- per months.
 - b. Issue Rule upon the Respondents to show cause as to why a Writ in the nature of Mandamus and/or any other order/orders shall not be issued whereby modifying the Notification, dated, 16.01.2023, issued by the Deputy Secretary, Govt. of Tripura, Home Department, by enhancing monthly pension in respect of retired Home Guard Volunteers under the Home Department, Govt. of Tripura, from Rs 2500/- to Rs 10,000/- per month.
 - c. Issue Rule upon the Respondents to show cause as to why a Writ in the nature of Mandamus and/or any other order/orders shall not be issued whereby quashing the Memo, dated, 13.03.2023, issued by the Dy. Secretary to the Govt. of Tripura, Home Department.
- Call for the records pertaining to the instant writ petition from the custody of the respondents and to make the rule absolute.”

The case of the petitioners is that the petitioners seek necessary direction upon the respondents to enhance monthly pension of the petitioners from Rs 2500/- to Rs 10,000/- per month. The petitioners are retired Home Guards. The petitioners are only getting Rs 2500/- as monthly pension. During

last decade the purchasing power of rupees has suffered tremendous erosion. After retirement, the petitioners are also entitled to decent pension and they are also entitled to live in dignity. As senior citizens, the petitioners are entitled to be not treated with cruelty and the State has responsibility and obligation to ensure, that, the petitioners who served the Nation and the State as Home-Guard before their retirement, do not suffer destitution and deprivation due to meager pension which presently they are getting.

Hence, the present petition has been preferred by the petitioners before this Court for redress.

Heard both sides.

Perused the records.

Admittedly there is an order of this Court directing the respondents to consider the case of the petitioners in accordance with law. The impugned memorandum dated 13th March, 2023 is the one came to be passed by the respondents in terms of the order passed in earlier WP(C) No.897 of 2022 dated 10.02.2023. A fair reading of the memorandum does not indicate that it has dealt with the contents of the representation. It is a non-speaking order.

Accordingly, without expressing any opinion on merits on the point of monitory benefits of the petitioners, the present writ petition stands disposed by remitting the matter back to the appropriate authority to pass a speaking order in terms of the earlier writ petition [WP(C) No. 897 of 2022] and the representation filed by the petitioners. Accordingly, the memorandum dated 13th March, 2023 stands set aside.

In view of above, the present petition stands disposed of. As a sequel, miscellaneous application(s), pending if any, shall stands closed.

T. AMARNATH GOUD, J

A. Ghosh

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