

**HIGH COURT OF TRIPURA**

**AGARTALA**

WA 217 of 2022

**1. Sri Sujit Roy**

Son of Late Swapan Roy, resident of Kamalnagar, P.O.-Mohorcherra, P.S Kalayanpur, District-Khowai Tripura.

**2. Sri Malay Bhowmik**

S/O- Sri Shimalendu Bikash Bhowmik, P.O & PS-Amtali, District-West Tripura, Agartala.

**3. Sri Koushik Malakar,**

S.O- Sri Kanu Malakar, R/O-Vill- Bairagi Para, PO- Ishanpur, PS- Sidhai, Agartala, West Tripura.

**---Appellant(s)**

**Versus**

**1. The State of Tripura,**

represented by the Secretary, Department of Panchayet, Government of Tripura, having his office at Secretariat Complex, P.O.-Secretariat Complex, P.S. New Capital Complex, PIN-799010, Agartala, West Tripura.

**2. The Secretary,**

Employment Services Manpower Planning, Government of Tripura, having his office at Secretariat Complex, P.O. Secretariat Complex, P.S. New Capital Complex, PIN-799010, Agartala, West Tripura

**3. The Secretary,**

to the Government of Tripura, Rural Development (Panchayet) Department, Government of Tripura, having his office at Secretariat Complex, P.O. Secretariat Complex, P.S. New Capital Complex, PIN- 799010, Agartala, West Tripura.

**4. The Secretary Cum Commissioner,**

Finance Department, Government of Tripura, having his office at Secretariat Complex, P.O. Secretariat Complex, P.S. New Capital Complex, PIN-799010, Agartala, West Tripura

**5. The Director,**

Panchayat Department, Government of Tripura, Gorkhabasti, Pandit Nehru Complex, P.O. Kunjaban, P.S. NCC, Agartala, West Tripura.

**---Respondent(s)**

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|------------------------------|---|----------------------------|
| For Appellant(s)             | : | Mr. M. Saha, Advocate      |
| For Respondent(s)            | : | Mr. M. Debbarma, Addl G.A. |
| Date of hearing and          |   |                            |
| Delivery of Judgment & Order | : | 04.04.2024                 |
| Whether fit for reporting    | : | <b>No</b>                  |

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**HON'BLE MR. JUSTICE ARINDAM LODH  
HON'BLE MR. JUSTICE S.D. PURKAYASTHA**

**Judgment and Order (Oral)**

Heard Mr. M. Saha, learned counsel appearing for the appellants. Also heard Mr. M. Debbarma, learned Addl. G.A appearing for the respondents-State.

2. By means of filing the instant writ appeal the appellants have challenged the impugned common Judgment & Order dated 20.07.2020, passed by learned Single Judge of this Court in WP(C) No.1516 of 2017 whereby a bunch of writ petitions filed by the petitioners had been dismissed.

3. It is the case of the appellants that they applied for the post of Rural Programme Manager(RPM) in pursuance of the Notice dated 04.10.2015 issued by the Department of Panchayet, Govt. of Tripura. By way of said notice, the willing candidates having requisite qualifications were asked to appear in the walk-in-interview on different dates at different examination centres. The appellants participated in the walk-in-interview and it is alleged that their names did not appear in the merit list prepared after the interview. It is the grievance of the appellants that in the midst of selection process, the selection criteria had been changed by the respondents in which the Interview Board divided the Graduate candidates into two groups, i.e., Graduation with pass and Graduation with honours. The candidates who are Graduate with pass were given 14 marks and candidates who are Graduate with honours were given 28 marks (14 marks extra). Consequence of which, though the appellants are sufficiently qualified to get the selection, but they were not selected.

4. At the very outset, Mr. M. Debbarma, learned Addl. G.A for the respondents-State has submitted that the present appeal is covered by the judgment & order dated 23.05.2023 passed by a Division Bench of this Court

in W.A. No.216 of 2022 titled as *Sri Sanjit Sil and Anr. Vs. The State of Tripura and 7 Ors* in which one of us (*Arindam Lodh, J.*) was a member where the appeal preferred by the appellants had been dismissed.

4.1 This proposition has not been opposed by learned counsel appearing for the appellants.

5. I have gone through the aforesaid judgment passed by the Division Bench in *Sri Sanjit Sil(supra)*. The relevant portion of the said judgment may be reproduced here-in-below:

*“11. On consideration of rival submission of the parties and the grounds on which the impugned Judgment and Order has been challenged, we are of the considered view that no infirmity can be pointed out in the reasonings of the learned Writ Court so far as it refused to interfere in the selection procedure on the instant criteria of allocation of marks between Graduates with Pass Course and Graduates with Honours subject. On facts, we find that petitioners/appellants herein who have obtained less than 45% marks have been rightly allotted 14(fourteen) marks as per the prescribed criteria. Since the petitioners had not secured Honours in Graduation this distinction, in any case, is not going to make good their case any further.*

*12. As such, the appeal, being devoid of merit, is dismissed. Pending application(s), if any, also stands disposed of.”*

6. Since the factual aspect of the present writ appeal is similar and identical to the subject matter of the case of *Sri Sanjit Sil(supra)*, the instant writ appeal is also dismissed in the same terms as *Sri Sanjit Sil(supra)*.

**JUDGE**

**JUDGE**

*Rohit*