

HIGH COURT OF TRIPURA  
\_A\_G\_A\_R\_T\_A\_L\_A\_

WP(C) No.18 of 2025

Pranab Sengupta

.....Petitioner

\_V\_E\_R\_S\_U\_S\_

The State of Tripura and 4 Others

.....Respondents

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|-------------------|---|-----------------------------------------------------------------------------------------------------|
| For Petitioner(s) | : | Mr. P.Roy Barman, Sr. Advocate.<br>Mr. S. Bhattacharjee, Advocate.<br>Mr. K. Chakraborty, Advocate. |
| For Respondent(s) | : | Mr. R. G. Chakraborty, Advocate.                                                                    |

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HON'BLE MR. JUSTICE T. AMARNATH GOUD  
\_F\_I\_N\_A\_L\_O\_R\_D\_E\_R\_

17.01.2025

Heard Mr. P. Roy Barman, learned senior counsel assisted by Mr. S. Bhattacharjee, learned counsel appearing for the petitioner also heard Mr. R. G. Chakraborty, learned counsel appearing for the respondents.

The present petition has been filed under Article-226 of the Constitution of India for setting aside the impugned penalty order dated 06.11.2024 whereby, the penalty of Censure along with withdrawal of 3 DGP's Commendation Disc has been imposed upon the petitioner. Further, directing the respondents in the alternative, to dispose of the appeal dated 22.11.2024 as preferred by the petitioner before the Secretary, Home Department, Government of Tripura challenging the impugned penalty order dated 06.11.2024.

The petitioner has prayed for the following reliefs:

- i. Issue rule, calling upon the respondents and each one of them to show cause as to why a writ of certiorari and/or in the nature thereof, shall not be issued, directing them, to transmit the records, lying with them, for rendering substantive and conscionable justice to the petitioner, and for quashing/setting aside the impugned penalty order dated 06.11.2024 (Annexure-19 supra), whereby the penalty of "Censure" along with withdrawal of 3 DGP's Commendation Disc has been imposed upon the petitioner.
- ii. Issue rule, calling upon the respondents and each one of them, to show cause as to why a writ of mandamus and/or in the nature thereof, shall not be issued, mandating/directing them in the alternative, to dispose of the appeal dated 22.11.2024 (Annexure-2 supra), as preferred by the petitioner before the Secretary, Home Department, Government of Tripura (i.e. the respondent No.2 herein), challenging the impugned penalty order dated 06.11.2024 (Annexure-19 supra).
- iii. Call for the records, appertaining to this writ petition.

iv. After hearing the parties, be pleased to make the rule absolute in terms of (i) & (ii) above.

v. Costs of and incidental to this proceeding.”

The facts in brief are that on the basis of a purported complaint, as made by the private respondent, an inquiry was initiated by the internal complaints committee on 20.08.2019, against the petitioner, who was serving as Inspector of Police. During the pendency of the said inquiry, on attaining the age of superannuation, the petitioner had proceeded to retirement on 31.05.2022. By making a communication dated 30.06.2022, the Assistant Inspector General of Police (Establishment) had issued a direction upon the Superintendent of Police (SC&EO) TPCB, to withhold the pensionary benefits of the petitioner. By a letter dated 08.07.2022, the petitioner had prayed for releasing his pensionary benefits, but in vain. That apart, gross illegalities were made by the official respondents, while conducting the said inquiry. Pursuant to a Writ Petition [WP(C) No. 731 of 2022], filed by the petitioner, by an Order dated 10.03.2023, this Court directed the respondents to decide the case of the petitioner. By an order dated 06.11.2024, the respondents inflicted a penalty of 'Censure' and withdrawing of 3 DGP's Commendation Disc, as awarded to the petitioner.

Being aggrieved thereby, the petitioner preferred an appeal there against on 22.11.2024, before the Secretary, Home Department, Government of Tripura (i.e., the Respondent No.2 herein). But, the same is pending till date. Hence, this writ petition.

In view of above and having heard the learned counsel appearing for the parties, without expressing any opinion on merits, this Court is of the view that ends of justice would be met if the matter is disposed of by directing the respondents to consider the case of the petitioner in accordance with law as early as possible preferably within a period of two months from the date of the receipt of the copy of this order. Accordingly, the same is ordered.

As such, the present petition stands disposed of. As a sequel, miscellaneous application, pending if any, shall stand closed.

**T. AMARNATH GOUD, J**