

**HIGH COURT OF TRIPURA
AGARTALA**

WP(C)No.112 of 2025

- 1. Shefali Shil,**
Wife of Balaram Paul,
Resident of Betcherra,
District: Unokoti, Tripura,
PIN: 799 264
- 2. Nandita Paul,**
Wife of Late Adhir Ch. Paul,
Resident of Sonaimuri,
District: Unokoti, Tripura, PIN:799 264
- 3. Smt. Radha Rani Debnath,**
Wife of Harendra Debnath,
Resident of Sonaimuri,
District: Unokoti Tripura,
PIN:799 264
- 4. Sri Sukhomoy Malakar,**
Son of Late Satyendra Malakar,
Resident of Laljuri, District: Unokoti Tripura,
PIN:799 264
- 5. Sri Rajbhihari Majumder,**
Wife of Late Ramani Majumder,
Resident of West Kanchanbari,
District: Unokoti, Tripura,
PIN:799 264
- 6. Smt. Shefali Datta,**
Daughter of Late Surendra Kr. Datta,
Resident of Santipara, Kumarghat,
Unokoti, Tripura, PIN:799 264
- 7. Smt. Hemangini Goswami,**
Wife of Dharendra Goswami,
Resident of near Rajnagar, Fatikroy,
Unokoti Tripura, PIN:799 290
- 8. Smt. Manjushree Das,**
Wife of Late Abani Kanta Das,
Resident of village & P.O. Teaghor,
Kumarghat, Unokoti Tripura, PIN: 799 290

-----Petitioner(s)

Versus

- 1. The State of Tripura,**
To be represented by the Secretary,
Social Welfare & Social Education,
Government of Tripura, New Secretariat Complex,
Kunjaban, Agartala, West Tripura, PIN 799 010

- 2. The Secretary, Department of Finance,**
Government of Tripura,
New Secretariat Complex, Kunjaban,
Agartala, West Tripura, PIN: 799 010
- 3. The Director of Social Welfare & Social Education,**
Government of Tripura,
Directorate of Social Welfare & Social Education,
Abhaynagar, Agartala, West Tripura,
PIN:799 010
- 4. The District Inspector of Social Education,**
Unakoti District, Office of the District Inspector
of Social Education, Unakoti District,
Kumarghat, Unakoti Tripura,
PIN:799 264
- 5. The Secretary,**
Agriculture & Farmers Welfare,
Government of India, Krishi Bhawan,
Room No.37C, New Delhi-110001
- 6. The Secretary,**
School Education & Literacy,
Government of India, Shastri Bhawan,
New Delhi, PIN:110001
- 7. The Secretary,**
Ministry of Information & Broadcasting,
Room No.552, A Wing, Shastri Bhawan,
New Delhi, PIN: 110001

----- **Respondents (s)**

For Petitioner(s) : Mr. Purusuttam Roy Barman, Sr. Adv.
Ms. Aradhita Debbarma, Adv.

For Respondent(s) : Mr. Dipankar Sharma, Addl. G.A.
Mr. Bidyut Majumder, DSGI.

Date of hearing &
delivery of
Judgment & Order : 02.12.2025

Whether fit for
Reporting : NO

HON'BLE MR. JUSTICE BISWAJIT PALIT

Judgment & Order (Oral)

Heard Learned Senior Counsel Mr. P. Roy Barman
assisted by Ms. A. Debbarma, Learned Counsel appearing
on behalf of the petitioners and also heard Learned Addl.

G.A. Mr. D. Sharma appearing for the respondents No.1-4 and further heard Learned D.S.G.I. Mr. B. Majumder appearing for the respondents No.5-7.

02. At the time of hearing Learned Senior Counsel appearing on behalf of the petitioners drawn the attention of the Court that all the petitioners were engaged as Part-time Instructors under the Social Welfare and Education Department in the year 1978 onwards with a monthly honorarium of Rs.50/- since from the time of their joining the present petitioners are/were discharging their duties with utmost satisfaction of the authority. But all on a sudden the departments have stopped their payment of monthly honorarium from the month of July 2024 onwards. In this regard they approached to the Department but no relief was given. Thereafter they have served one legal notice to the official State-respondents but in respect of that no action was taken. Hence the present petitioners have filed this writ petition seeking the following reliefs:

(i) Issue Rule upon the Respondents to show cause as to why Writ in the nature of mandamus and/or direction shall not be issued whereby directing the Respondents to allow the Petitioners to resume their duty as Part Time Instructors in their existing place of posting.

(ii) Issue Rule upon the Respondents to show cause as to why Writ in the nature of mandamus and/or Order or direction shall not be issued

whereby directing the Respondents to release arrear of pay of the Petitioners which fell due since July 2024.

(iii) Issue Rule upon the Respondents to show cause as to why writ in the nature of mandamus and/or Order or direction shall not be issued whereby directing the Respondents to accept the Work Report of the Petitioners for the month of July, 2024.

(iv) Make the rules absolute.

(v) Call for records,

(vi) Pass any further order/orders as this Hon'ble High Court considered fit and proper.

03. Learned Senior Counsel further drawn the attention of The Court that inspite of withholding of salary by the respondents authority they are still working continuously and their services was not suspended by the authority in any occasion. It was further submitted by Learned Senior Counsel that the monthly honorarium of the present petitioners were extended time to time by the department and later on it was raised to Rs.7, 171/-. Learned Senior Counsel also submitted that since there is no recruitment rule framed by the respondents authority regarding the engagement of the petitioners and as such on attaining the age of 60 years their services cannot be discontinued by the respondents authority and hence the

petitioners have sought redress before this Court to allow them to resume their duties as Par-time Instructors with further relief for releasing of their arrear pay which fell due for the month of July, 2024 onwards.

04. Learned Sr. G.A. appearing on behalf of the State-respondents submitted that all the petitioners have exceeded 60 years and as such on attaining the age of 60 years their services have been discontinued and similarly referring Annexure-3 Learned Sr. G.A. drawn the attention of the Court that Government had also fixed the upper age limit of the Anganwadi workers and Anganwadi helpers up to the age of 60 years and as such the present petitioners are not entitled to any separate relief and the case of the present petitioners would be treated like Anganwadi workers.

05. Learned DSGI appearing on behalf of the respondents No.5-7 submitted that the role of the said respondents are formal in nature and as such he has nothing to say about the case filed by the writ petitioners.

06. Learned Senior Counsel appearing for the petitioners in course of hearing also drawn the attention of the Court referring an order dated 26.09.2025 passed by a Co-ordinate Bench of this High Court in WP(C)No.495 of 2025 wherein Learned Sr. G.A. submitted before this Court that a notification has been issued by the State Government on 03.09.2025 wherein the upper age limit of the Part-time Instructors has been fixed at 60 years with further direction

to discontinue the services of the Part-time Instructors who have exceeded the 60 years of age, immediately. The said writ petition was disposed of granting liberty to the petitioners to challenge the notification dated 03.09.2025 issued by the Government but a direction was made to clear up the pending arrears/honorarium of the petitioners.

07. I have perused the said order dated 26.09.2025 passed by a Coordinate Bench of this High Court. Learned Sr. G.A. Mr. P. Gautam appearing on behalf of the State-respondents also admitted the said fact regarding issuance of notification by the State Government on 03.09.2025. Learned Senior Counsel Mr. P. Roy Barman at this stage submitted that the said notification dated 03.09.2025 would be challenged by the petitioners in due course of time. So this present petition may be disposed of with a direction to the State-respondents to release the arrears/honorarium of the petitioners.

08. So, after hearing of both the sides it is ordered that the State-respondents shall make immediate arrangement for release of the honorarium to the present petitioners from July, 2024 to till August, 2025 as per their individual entitlement within a period of six weeks from the date of receipt of a copy of this order, with further liberty to the petitioners to challenge the notification dated 03.09.2025 if they are so advised in due course of time to the appropriate forum.

With this observation and direction, this writ petition stands allowed and disposed of as indicated above.

Pending application, if any, stands disposed of.

JUDGE



**MOUMITA
DATTA**

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