

**HIGH COURT OF TRIPURA
AGARTALA**

WP(C) 168 of 2025

Sri Kishan Biswas and 3 Others

---Petitioner(s)

Versus

The State of Tripura and 3 Ors.

---Respondent(s)

For Petitioner(s)	:	Mr. Somik Deb, Sr. Advocate. Ms. J. Mahama, Advocate.
For Respondent(s)	:	Mr. M. Debbarma, Addl. GA.

HON'BLE MR. JUSTICE T. AMARNATH GOUD

Order

10.04.2025

Heard learned counsel for the parties.

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

- 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, for directing them, to transmit the records, appertaining to this writ petition, lying with them, for rendering substantive and conscionable justice to the petitioners;*
- 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, for mandating/directing them, to forthwith issue the No Objection Certificates in favour of the petitioners, and thereupon, enter the Graduation & Post Graduation Degree, in the respective Service Books of the petitioner Nos.1, 3 & 4 and the petitioner No.2 respectively;*
- 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. *Any other Relief(s) as to this Hon'ble High Court may deem fit and proper;*

[3] It is the case of the petitioner that for filing up some vacant posts of Under-Graduate, Graduate and Post-Graduate Teachers, under the Education Department, Directorate of Elementary Education, Government of Tripura, on monthly fixed pay basis, respective Advertisements were issued, by the Education (School) Department, (Elementary Education) Government of Tripura, thereby elucidating the respective qualifications requisite therefore. Thereafter, a selection process was

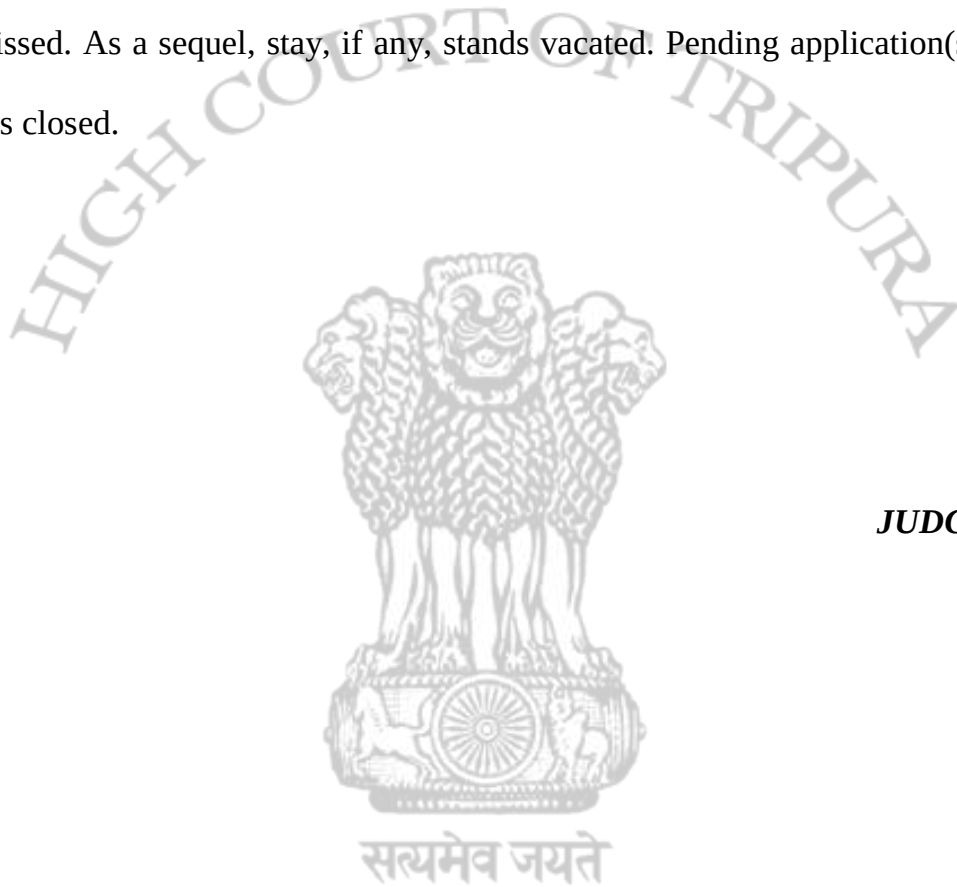
initiated, and the petitioners alongwith others, were duly selected for the post of Graduate Teacher and Under-Graduate Teacher, under the Directorate of Elementary Education, Government of Tripura. Prior to acceptance of the Offer of Appointment for the respective posts of Graduate Teacher & Under-Graduate Teachers, the petitioners were pursuing the Graduation course (the petitioner Nos. 1, 3 & 4) & the Post Graduation course (the petitioner No.2) from various Institutions. It was during the pendency of their pursuing of the respective courses, the petitioners were offered with appointments to the respective posts of Graduate Teacher & the Under-Graduate Teacher. The petitioners were in the final semesters of their respective courses. Since, the petitioners were pursuing the Graduation course (the petitioner Nos.1, 3 & 4) & the Post Graduation course (the petitioner No.2) from various Institutions, as such, for appearing in the last Semesters, the petitioner submitted Applications to the Director, Directorate of Elementary Education, Government of Tripura, on diverse dates, inter alia praying for grant of No Objection Certificate, for completing their final semesters of Graduate & Post Graduate course in respective subjects, for the academic session 2021-2023. The petitioners had approached the Director of Elementary Education, Government of Tripura, inter alia praying for issuance of No Objection Certificates in their favour, so as to enable them, to appear in the final semester examination, but every time, the petitioners were cited with this or that reason, for not issuing the said No Objection Certifications. However, in the meantime, the petitioners had appeared in their final semester examination & have cleared it out, i.e., without issuance of any No Objection Certificate. Inter alia praying for issuance of No Objection Certificate, this WP is presented.

[4] It appears from the record that this writ petition has been filed without any cause of action, as there is neither any challengeable issue nor any impugned order passed against the petitioners." In view of the same, the present writ petition itself is not

maintainable and no mandamus can be issued. Accordingly, the petition stands dismissed.

[5] At this juncture, Mr. Somik Deb, learned senior counsel for the petitioners prayed that liberty may be granted to the petitioners to approach the respondents. It is needless to observe that it is always open for the petitioners to approach before the respondents for any such relief, if they desire.

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



JUDGE

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