

**HIGH COURT OF TRIPURA
AGARTALA**

WP(C) 205 of 2025

Sri Asis Chaudhuri and 3 Others.

---Petitioner(s)

Versus

The State of Tripura and 5 Others.

---Respondent(s)

For Petitioner(s)	:	Mr. P Roy Barman, Sr. Advocate. Mr. K. Nath, Advocate.
For Respondent(s)	:	Mr. D. Sarma, Addl. GA. Mr. Soumyadeep Saha, Advocate.

HON'BLE MR. JUSTICE T. AMARNATH GOUD

Order

24.04.2025

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 upon the Respondents to show -cause as to why a writ in the nature of Mandamus and/or order/orders and/or direction/ directions of like nature shall not be issued whereby directing the Respondents to allow the benefit of Annual increment, to the Petitioners which fell due on 01.07.2024, in compliance with the option exercised by the Petitioners, in terms of the memorandum, dated, 30.09.2023, issued by the Under Secretary, Finance Department, Government of Tripura.*
- ii. *Issue Rule upon the Respondents to show cause as to why a writ in the nature of Mandamus and/or order/orders and/or direction/ directions of like nature shall not be issued whereby directing the Respondents to issue corrigendum, by modifying, the Memo, dated, 10.07.2024 and memo, dated, 12.09.2024, both issued by the Director of Secondary Education, Tripura, so far fixation of date of next increment to the Petitioners on 01.01.2025 is concerned, considering the fact, that, their date of annual increment fell due to them on 01.07.2024.*
- iii. *Issue Rule upon the Respondents to show cause as to why a writ in the nature of Mandamus and/or order/orders and/or direction/ directions of like nature shall not be issued whereby directing the Respondents to modify the PPO of the Petitioners after taking into account the last basic pay of the Petitioners after allowing to them the benefit of one increment which fell due to them on 01.07.2024 and had been denied to the Petitioners.*
- iv. *Issue Rule upon the Respondents to show cause as to why a writ in the nature of Mandamus and/or order/orders and/or direction/ directions of like nature shall not be issued whereby directing the Respondents to re-determine the pension, gratuity, leave encashment and other pensionary benefits to the Petitioners after allowing one yearly increment which became payable on 01.07.2024 and which had been denied to the Petitioners most arbitrarily and pay the arrear amount.*
- v. *Make the rules absolute.*
- vi. *Call for records.*

[3] By way of filing this writ petitions, the petitioners are praying for directing the respondents to allow the benefit of Annual increment, to the petitioners which fell due to them on 01.07.2024, in pursuance of the option exercised by the petitioners, in terms of the memorandum, dated, 30.09.2023, issued by the Under Secretary, Finance Department, Government of Tripura. While giving the benefit of MACP-III, to the petitioners vide Memo, dated, 10.07.2024, it was notified, that, the date of next increment has been deferred to 01.01.2025, instead of 01.07.2024. Due to the deferment of annual increment to 01.01.2025, instead of 01.07.2024, the petitioners had been deprived of that benefit all together, and it has cascading effect on their service career and other post retirement benefits. The petitioners cannot be deprived of annual increment which is their property, which they earned for rendering good and satisfactory service in a year which ended on 30.06.2024 and 01.07.2024 being the date of payment of that benefit.

[4] Aggrieved by conduct of the respondents the petitioners have filed this writ petition.

[5] It is seen from the record that the Headmaster of Chailengta Class XII School by a communication dated 27.07.2024 has forwarded the application to the respondents for review and reconsideration of deferring of yearly increment of the petitioners which has not been acted upon till date.

[6] In view of above submission, without expressing any opinion on the merits of the case, this present writ petition is disposed of directing the respondents to consider the case of the petitioner in the light of the communicated dated 27.07.2024 in accordance with law within a period of three months from the date of receipt of copy of this order.

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

JUDGE

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HIGH COURT OF TRIPURA



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