

**HIGH COURT OF TRIPURA  
AGARTALA  
WP(C) No. 318 of 2025**

**Alak Kumar Das,**  
S/o- Lt. Narendra Ch. Das,  
In-Charge Director, State Land Use Board,  
Department of Agriculture & Farmers' Welfare,  
Resident of Town Pratapgarh, Beside V-2  
shopping Mall, Near 'Ramthakur Sangha',  
Agartala, P.O- Agartala, P.S. East Agartala,  
District: West Tripura.

**.....Petitioner(s).**

**Vs.**

- 1. The State of Tripura,**  
Represented by the Chief Secretary,  
Government of Tripura, New Capital Complex,  
P.O. New Secretariat, Agartala, West Tripura.
- 2. The Secretary,**  
Government of Tripura, Department of Agriculture  
and Farmers' Welfare, New Capital Complex,  
P.O. New Secretariat, Agartala, West Tripura.
- 3. The Under Secretary,**  
Government of Tripura, Department of Agriculture  
and Farmers' Welfare, New Capital Complex,  
P.O. New Secretariat, Agartala, West Tripura.
- 4. Sri Dipak Kumar Das,**  
Director of Horticulture & Soil Conservation,  
Government of Tripura, Paradise Chowmuhani,  
Udyan Bhavan, Agartala, West Tripura.

**.....Respondent(s).**

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|-----------------------------------------------------------------|---|---------------------------|
| <b>For Petitioner (s)</b>                                       | : | Mr. S S Debnath Adv.      |
| <b>For Respondent(s)</b>                                        | : | Mr. M Debbarma, Addl. GA. |
| <b>Date of hearing &amp; delivery<br/>of judgment and order</b> | : | 28.07.2025                |
| <b>Whether fit for reporting</b>                                | : | <b>No</b>                 |

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**HON'BLE MR. JUSTICE S. DATTA PURKAYASTHA**

**JUDGMENT AND ORDER (ORAL)**

**28.07.2025**

Heard learned counsel Mr. SS Debnath, appearing for  
the petitioner and Mr. M Debbarma, learned Addl. GA appearing for  
the respondents.

**[2]** The petitioner was initially appointed on 12.10.1987 as THAS (Grade-IV) in the Department of Agriculture. Similarly, the respondent No.4 who is junior to him was appointed on 09.01.1989 in the same grade. Their seniority list of July, 2021, according to the petitioner, shows that the petitioner was at the top of the list.

**[3]** By notification dated 20.12.2024, in the event of retirement of one Sri Saradindu Das, Director of Agriculture on 23.12.2024, one Dr. Phani Bhusan Jamatia, Director of Horticulture and Soil Conservation, THAS Grade-I (Ad-hoc) was directed to take over charge of Director of Agriculture from said Sri Saradindu Das. Further, the respondent No.4, Sri Dipak Kumar Das, Joint Director of Agriculture, THAS Gr-II was directed to take charge of Director of Horticulture & Soil Conservation from Dr. Phani Bhusan Jamatia. Dr. Phanibhushan Jamatia was also similarly asked to hand over his charge to the respondent No.4 before taking over the charge of Director of Agriculture.

**[4]** It is the grievance of the petitioner that he being the senior most officer in THAS Grade-II ought to have been asked to take over the charge from Dr. Phani Bhusan Jamatia, Director of Horticulture and Soil Conservation.

**[5]** Another grievance as projected by the petitioner is that his promotion to the post of THAS Grade-I is due and he is also going to superannuate on 31<sup>st</sup> July, 2025 but he was not considered for promotion.

**[6]** Learned counsel Mr. SS Debnath, therefore submits that his promotional exercise ought to have been taken up by the department before he goes on superannuation.

**[7]** Learned Addl. GA Mr. M Debbarma, on the other hand submits that by the notification dated 20.12.2024, the respondent No.4 was never posted on promotion as Director of Agriculture. Rather it was a temporary arrangement regarding the official functioning done by the department that in the event of retirement of Sri Saradindu Das, Dr. Phani Bhusan Jamatia, a Grade-I officer of THAS was going to take over the charge of Director of Agriculture. Therefore, according to Mr. Debbarma, making of such temporary arrangement i.e. asking respondent No.4 to perform the duties of Director of Horticulture does not confer him the status of regular Director of Horticulture. According to Mr. Debbarma, the petitioner also cannot as a matter of right, claim that in place of respondent No.4 he ought to have been given the charge of Director of Horticulture.

**[8]** Learned Addl. GA Mr. Debbarma, also refers to another notification dated 04.01.2024 to show that the present petitioner is also similarly given the charge of Director of State Land Use Board.

**[9]** Considered the submissions of both sides and also considered the materials placed before the court.

**[10]** As it appears that both the petitioner and respondent No.4 are given temporary charge as Director. Former is given the charge of Director of State Land Use Board and the latter is given the charge of Director of Horticulture and none were given any

promotion and consequential posting as regular Director. Therefore, no right has been accrued to the petitioner to claim for any such posting as Director of Horticulture as till date he has not been promoted in the Grade-I of THAS.

**[11]** However, it appears that the petitioner submitted one representation before the respondent No.2 on 6<sup>th</sup> June, 2024 whereby it is mentioned that six posts of THAS Grade-I are lying vacant and, therefore, he may be considered for promotion being the senior most officer in Grade-II.

**[12]** Mr. Debnath, learned counsel submits that said representation is still pending without any response and therefore, the petitioner has approached this court under Article 226 of the Constitution. Petitioner's retirement is already due in July, 2025.

**[13]** In view of above position, the writ petition is disposed of with a direction on the respondent No.2 to dispose of the representation of the petitioner dated 06.06.2024 by a reasoned order immediately on receipt of a copy of this judgment. So far the other grievance of the petitioner regarding his posting as In-charge Director of Horticulture is concerned, same is not acceptable.

With the above observations and directions, this writ petition is disposed of.

Interlocutory application(s), if any, also stands disposed of.