

**HIGH COURT OF TRIPURA
AGARTALA**

WP(C) 393 OF 2024

Sri Animesh Das, IFS,
S/o Sh. Nani Gopal Das,
R/o Village Dhaleswar, Road No.17,
P.O. Dhaleswar, P.S.East Agartala,
Distt. West Tripura, Tripura, Ph.09436502484.

....Petitioner

Versus

1. The State of Tripura, through the Secretary,
General Administration (Personnel & Training) Department,
New Secretariat Complex, Gurkhabasti, Agartala, P.O. Kunjaban,
P.S. New Capital Complex, Sub-Division-Sadar,
District-West Tripura, 09436120041(cs-tripura@nic.in).

2. The Secretary,
Department of Forests, Government of Tripura, Civil Secretariat,
P.O. Secreriat, P.S. New Capital Complex, District –West Tripura,
Pin-799010.

3. The Principal Chief Conservator of Forests (PCCF),
Government of Tripura, having its Office at ‘Aranya Bhavan’,
Pandit Nehru Complex, Gorkhabasti, P.O. Kunjaban, P.S. New Capital
Complex, District –West Tripura, Pin-799010.

4. Sri Gautam Das, IFS,
S/o Sh. Santosh Chandra Das, R/o A.D.Nagar, Road No.14,
P.O. S.D. Mission, Agartala, Distt. West Tripura, Pin-799003, 943612383,
(gautam.dcf14@gmail.com).

.....Respondents

For the Petitioner	:	Dr. Ashwani Bharadwaj, Advocate. Mr. D.C.Saha, Advocte.
For the Respondents	:	Mr. K. De, Addl. G.A. Ms. M. Chakraborty, Advocate.
Date of hearing and date of delivery of judgment and order	:	11.03.2025.
Whether fit for reporting	:	Yes

HON'BLE MR. JUSTICE ARINDAM LODH

JUDGMENT & ORDER(ORAL)

By way of filing the instant writ petition, the petitioner has
challenged the seniority position of the respondent no.4 (private respondent).

2. The case of the petitioner is that he entered into service as Grade-II officer under the Tripura Forest Service in accordance with Tripura Forest Service Rules, 1988 (for short, the Rules of 1988). Thereafter, he along with the private respondent and others were sent to training in State Forest Service Course [Diploma course in Forest]. After completion of probation/training period, his service was confirmed as TFS Grade-II officer under the State-respondents. While he was continuing in service, the State-respondents had published tentative seniority list. Thereafter, on the basis of tentative seniority list, after consideration of objections and representations, the final seniority list was published in the year 25.11.2005. Following the seniority list was published in the year 2005, the petitioner was promoted to the post TFS Grade-I on 10.01.2013. On the basis of the seniority list prepared in the year 2005, the State-respondents published another final seniority list in the year 2013 and later on, in the year 2017.

2.1 Keeping in line with the final seniority list prepared in the year 2017, the petitioner was inducted to the Indian Forest Service cadre (for short, IFS cadre) in the year 2017 itself. Having joined to the IFS cadre, the petitioner started inquiry about the marks obtained by the private respondent in the Diploma Course training examination to which he found that he secured higher marks than that of the private respondent no.4. But, the respondent no.4 was shown senior to the petitioner in the final seniority list published in the year 2005. Having found this, the petitioner submitted representation to the State-respondents on 21.07.2019 [**Annexure-4** to the writ petition] stating *inter alia* that his seniority was wrongly fixed in the year 2005 since Rule 29 of the Rules of 1988 prescribes that *persons recruited on the result of qualifying written examination in any year shall be*

ranked inter se in the order of merit in which they are placed according to merit in the result of the final examination of the State Forest Service Course(Diploma Course in Forestry), those recruited on the basis of an earlier examination being ranked senior to those recruited on the basis of the later final examination of the State Forest Service Course (Diploma Course in Forestry). The said representation was responded by the State-respondents vide reply dated 2nd January, 2020 [Annexure-5 to the writ petition] where the contentions and claim of the petitioner was rejected.

3. Challenging the rejection of the representation, the petitioner approached the learned Central Administrative Tribunal [for short, 'CAT'], Gauhati Bench. The Original Application was registered as OA No.041/0054/2021. The said application was disposed of by learned CAT vide order dated 15.02.2024 where the claim of the petitioner was rejected having observed thus:

“4. We have heard the parties and perused the records as well as the judgment placed by the learned counsel for the applicant. From the perusal of the prayer made by the applicant at para 8 of the relief in the instant O.A., it is noted that the applicant has asked for quashing of the Order dated 02.01.2020(Annexure-A/1) passed by the respondent no.2 i.e., Government of Tripura by rejecting the request of the applicant for re-fixation of the seniority while he was in service i.e. under the Tripura Forest Service till 2015. Further, from the perusal of the instant O.A., it is observed that the applicant has no grievance against the Ministry of Environment, Forest & Climate Change. We have also perused the Order passed by the Hon'ble High Court of Tripura in WP(C) CAT 2 of 2012. From the perusal of the said Order, it is noted that in the said writ petition, the petitioner was aggrieved with the appointment of two other persons to the IFS cadre, wherein the writ petitioner had basically asked for induction to the IFS cadre prior to the said two persons which means the writ petitioner was aggrieved by the induction of two other persons to the IFS cadre who were appointed by the Ministry of Environment, Forest & Climate Change.

5. *In view of the above, as the grievance of the applicant is with regard to the seniority when he was rendering services in Tripura Forest Service and also, with regard to the decision of the State of Tripura, over which we do not have any jurisdiction. Therefore, the instant O.A. is dismissed for want of jurisdiction with no order as to costs.*

6. *However, the applicant is at liberty to approach the appropriate forum, if so advised."*

4. Thereafter, the order dated 15.02.2024, the petitioner has approached this High Court challenging the impugned rejection order dated 2nd January, 2020 [**Annexure-5** to the writ petition] passed by the competent authority of the official respondents.

5. I have perused the impugned order dated 2nd January, 2020 wherein the State-respondents opined that the objection raised by the petitioner against the seniority list published on 25.11.2005, cannot be sustained at this stage because there was inordinate delay for making such grievance and moreover, the petitioner failed to show any reason for such inordinate delay in preferring such objection in such a belated stage. While coming to the conclusion, the State-respondents also observed that seniority list containing the name of the petitioner was published without any objection from the petitioner. As per memorandum bearing no.F.2(1)-GA(P&T)/05, dated 25.11.2005 it appears that the tentative seniority list was circulated to all TFS Grade-II officers including the petitioner and they were requested to submit their objections, if any, to the draft seniority list within 15 days and that objections submitted by the officers were considered and thereafter, the seniority list of the officers were published. It was further observed that there was no material before the State-respondents to show that the petitioner at any point of time had raised his objection to the draft seniority list or he approached the Court of law. So, according to the State-respondents after expiry of about 14 years, the petitioner suddenly came up for modification of the said seniority list which was prepared in the year 2005, which, if allowed, would result in disturbing the settled position which

is not justifiable because the petitioner already got two promotions, one on 10.01.2013 in TFS Grade-I and another on 30.11.2017 in IFS cadre.

6. I have heard Dr. Ashwani Bharadwaj, learned counsel along with Mr. D.C.Saha, learned counsel appearing for the petitioner and Mr. K. De, learned Addl. G.A. appearing on behalf of the State-respondents and Ms. M. Chakraborty, learned counsel appearing for the private respondent.

7. Dr. Bharadwaj, learned counsel for the petitioner has strongly argued that the seniority list which was prepared in the year 2005 was contrary to proviso (a) to Rule 29 of the Rules, 1988. According to learned counsel for the petitioner, since the seniority list was illegal at its very introduction and finalization thereof being contrary to statutory rule, the same cannot be sustained and the said seniority list thus prepared should be re-fixed in the interest of justice.

8. Drawing my attention to the impugned order dated 2nd January, 2020 [**Annexure-5** to the writ petition], Dr. Bharadwaj, learned counsel has emphasized that the State-respondents erroneously rejected the representation of the petitioner since according to them the claim of the petitioner suffers from the doctrine of delay and laches. It is further argued that a seniority list prepared contrary to prescribed rules is inherently flawed and cannot be sustained, as it unfairly prejudices the rights of affected employees. To support his submission, Dr. Bharadwaj, learned counsel has placed reliance upon a decision of Supreme Court in **Ajay Kumar Shukla & Ors. Vs. Arvind Rai & Ors., Civil Appeal No(s). 5966 of 2021 (arising out of SLP(Civil) No(s). 5435 of 2020)**. Particular reliance is placed on paragraphs 34, 35, 47 and 50 of the said judgment.

9. Paragraphs 34, 35, 47 and 50 may be reproduced here-under, for convenience:

“34. After coming of Rules 2009, fresh exercise was undertaken for preparation of seniority list. A tentative list was notified by the Office Order dated 29.12.2009. This Office Order mentions that the seniority list has to be prepared according to 1991 Rules. While dealing with the finalization of this tentative list, vide office order dated 05.03.2010, we find reference to disposal of an objection by Mahesh Chand Bagani and Mahesh Kumar in which they had apparently sought clarification regarding the requisition send to the Commission and other related aspects. In paragraph 11 of the Office Order, it is mentioned that the Commission had forwarded the three lists of the Agriculture, Mechanical and Civil streams separately on 06.01.2000, 27.01.2000 and 07.11.2000 respectively. It further mentioned that it was in that sequence i.e. the date of receiving that the combined seniority was assessed. Thus, again the seniority list was finalized in the same sequence as the three lists have been received and in that order. It is thereafter that the representations were made that the seniority list of the direct recruits of 2001 was wrongly prepared contrary to the Rules, however, when no action was taken, Rajiv Nain Upadhyay and fourteen others approached the High Court by way of W.P. No.53123 of 2012 in October 2012 which was within a period of two to two and half years and till such time they had been pursuing their representation after office order dated 05.03.2010. From the above facts, it is clear that in the first contingency or in the second contingency, the appellants cannot be found at fault. The Division Bench committed an error in holding that the claim lodged by the appellant suffered from delay and laches.

35. The plea to defend the seniority list prepared contrary to the statutory provisions on the ground of delay would be a difficult proposition. Apart from the submission of the appellants that there is no delay as they came to know of the three separate lists only in March, 2010, even if it is assumed that there was some delay and a fresh seniority list was being prepared in 2009-2010 again contrary to the provisions of statutory rules, such seniority list cannot be sustained or defended on the ground of delay of five years.

“47. The present case is a case of preparation of seniority list and that too in a situation where the appellants (original writ petitioners) did not even know the marks obtained by them or their proficiency in the examination conducted by the Commission. The challenge was on the ground that the Rules on the preparation of seniority list had not been followed. There were 18 private respondents arrayed to the writ petition. The original petitioners could not have known who all would be affected. They had thus broadly impleaded 18 of such Junior Engineers who could be adversely affected. In matters relating to service jurisprudence, time and again it has been held that it is not essential to implead each and every one who could be affected but if a section of such affected employees is impleaded then the interest of all is represented and protected. In view of the above, it is well settled that impleadment of a few of the affected employees would be sufficient compliance of the principle of joinder of

parties and they could defend the interest of all affected persons in their representative capacity. Non-joining of all the parties cannot be held to be fatal.”

“50. Further, the Division Bench in paragraphs 51, 52, 53 proceeded to deal with the delay stating it to be 11 years, the basis for calculation of 11 years was that the seniority list of 2006 was challenged by way of amendment by the appellants in the year 2017 and therefore there was a delay of 11 years. This discussion by Division Bench also cannot be sustained. The first seniority list was prepared in 2006. It was not disclosed as to how the seniority list has been prepared by treating the three separate lists independently on their merits but not as a result of combined merit of the three lists. It was only in 2010 that the appellants came to know of the fallacy and soon thereafter they challenged the seniority list of 2010. Even if, they did not challenge the seniority list of 2006, 2010 seniority list could always be revisited, reviewed and prepared afresh, if the same was quashed. The appellants could not have been at any loss even if they had not challenged the 2006 seniority list.”

10. Apart from the aforesaid paragraphs, I also have taken note of the background facts of the case, for convenience. In the case of **Ajay Kumar Shukla** (supra), the appellants/writ petitioners, who were working as Junior Engineers under the department of Minor Irrigation, State of Uttar Pradesh, aggrieved by the final seniority list dated 05.03.2010 challenged the same in the year 2012 by way of Writ Petition No.53123/2012, being **Rajiv Nain Upadhyay & Ors. Vs. State of Uttar Pradesh & Ors.** The appellants/writ petitioners belong to the Mechanical and Civil streams whereas the private respondents are from the Agriculture stream. Originally, the appellants/writ petitioners prayed for a direction to quash the final seniority list of the appellants/writ petitioners along with the private respondents issued under the Office Order dated 05.03.2010 by the Chief Engineer [Minor Irrigation], Uttar Pradesh, Lucknow. However, later on, by way of amendment, the appellants/writ petitioners sought for issuance of a direction to quash the seniority list dated 05.09.2006. The writ petition filed by the appellants before the Allahabad High Court was allowed by learned Single Judge. However, learned Division Bench in an intra-court appeal set

aside the judgment and order passed by learned single Judge on one of the grounds that the writ petition was badly suffered from delay and laches, since according to Division Bench, the appellants/writ petitioners challenged the seniority list dated 05.09.2006 after 11 years. The matter was carried out to Supreme Court by way of filing a Special Leave Petition and the Hon'ble Supreme Court while dealing with the Civil Appeal in respect of delay and laches, held that the conclusion arrived at by the Division Bench could not be sustained for the reason that, though, the first seniority list was prepared in 2006, it was not disclosed as to how the seniority list had been prepared by treating the three separate lists independently on their merits but not as a result of combined merit of the three lists. It was only in 2010 that the appellants came to know of the fallacy and soon thereafter they challenged the seniority list of 2010. It was further observed by the Supreme Court that even if, the appellants/writ petitioners did not challenge the seniority list of 2006, 2010 seniority list could always be revisited, reviewed and prepared afresh, if the same was quashed and the appellants could have been at any loss even if they had not challenged the 2006 seniority list. Furthermore, one of the important aspects that came into consideration by Hon'ble Supreme Court in **Ajay Kumar Shukla** (supra) is that a tentative seniority list was notified by the Office Order dated 29.12.2009. While dealing with the finalization of this tentative list, vide Office Order dated 05.03.2010 it was found that the authorities concerned disposed of an objection raised by two of the appellants/writ petitioners. Thereafter, the seniority list was finalized despite representations were made alleging that the seniority list of direct recruits of 2001 was wrongly prepared contrary to the rules. However, two of the affected engineers filed a writ petition in October 2012 [WP(C)]

No.53123/2012] within a period of two to two-and-a-half years of the office order dated March 5, 2010, during which time they had been persistently pursuing their representations.

11. From the above facts, the Hon'ble Supreme Court did not find any fault on the part of the appellants/writ petitioners and accordingly, held that the Division Bench of the Allahabad High Court committed an error in holding that the claim lodged by the appellants/writ petitioners suffered from delay and laches.

12. On perusal of paragraph 47 of the case of **Ajay Kumar Shukla (supra)**, in my opinion, it is not relevant since the said paragraph deals with the impleadment of necessary parties, which matter is not a question to the facts of the instant case.

13. Dr. Bharadwaj, learned counsel for the petitioner also has cited a decision of this Court passed in **WP(C) No.45 of 2019** along with other writ petition, titled as **Sri Jash Paul Debbarma Vs. State of Tripura & Ors.**

On perusal of the said judgment, I find that the facts of **Jash Paul (supra)** are quite distinguishable from the facts of the instant case. Further, in the case of **Jash Paul (supra)**, the seniority position was not challenged after more than 18 years as it is apparent in the case in hand.

14. Having considered the facts of the case of **Ajay Kumar Shukla (supra)**, in the opinion of this Court, the facts of the instant case is clearly distinguishable from the facts of the case of **Ajay Kumar Shukla (supra)**. In the case at hand, the petitioner was well aware of the Rules of 1988 containing the provision for preparation of seniority of the officers of all Grades. So, the Rules of 1988 were known to the petitioner from the date of his entry into service under the State-respondents.

15. Relevant to this case is Rule 29 of the Rules, 1988 which governs the determination of seniority between the petitioner and the private respondent. The pertinent part is reproduced here-under, for convenience, *in extenso*:

“29.SENIORITY:

The Governor shall prepare a list of members of the Service arranged in order of seniority as determined in the manner specified below:-

(1) In the case of persons appointed on direct recruitment or by selection under rule 5, seniority in the Service shall be determined by the order in which appointments are made to the service:

Provided that:

(a) Persons recruited on the results of qualifying written examination in any year shall be ranked inter se in the order of merit in which they are placed according to merit in the result of the final examination of the State Forest Service Course (Diploma Course in Forestry), those recruited on the basis of an earlier examination being ranked senior to those recruited on the basis of the later final examination of the State Forest Service Course (Diploma Course in Forestry).

(b) The relative seniority inter se of the persons recruited by selection shall be determined on the basis of order in which their names are arranged in the list prepared under rule 15.

***”

16. The petitioner has relied upon the proviso (a) to Rule 29(1) and according to him, after his induction in the IFS Cadre he started inquiry about the marks obtained by all the Grade-II officers who were appointed along with him as Grade-II officer being their service conditions were governed by the Rules of 1988 through RTI Act. Only thereafter, he came to know that the respondent no.4 secured less marks than that of him in the final examination of the State Forest Service Course (Diploma Course in Forestry).

17. Having found thus, the petitioner submitted his representation to the respondents on 21.07.2019 [**Annexure-4** to the writ petition] to correct the seniority list that was finalized and published in the year 2005 which was

rejected by the State-respondents under order dated 2nd January, 2020 [**Annexure-5** to the writ petition]. Thereafter, the petitioner approached learned CAT at Gauhati, where, as I stated earlier, the Original Application was dismissed on the ground that the learned CAT had no jurisdiction to decide the case since the petitioner had no grievance against the Union of India and its concerned department. The learned CAT had given him a liberty to approach the appropriate forum, if so advised. Hence, this writ petition.

18. As I said earlier, in the present case, I find that the petitioner joined Tripura Forest Service cadre as Grade-II officer in the year 2002 along with other officers of the same Grade. Tentative seniority list was published by the respondents inviting objections or to submit representations if there was any grievance of the officers concerned. To reiterate, the petitioner was well aware of the Rules of 1988 governing the seniority of Grade-II officers. The petitioner never raised any objection and the draft tentative seniority list was finally published. Following the said seniority list, the petitioner along with another were promoted to TFS Grade-I on 10.01.2013. Again, the petitioner was inducted to the IFS cadre on 30.11.2017 in the light of the final seniority list published in the year 2013 and 2017. So, the seniority list concerning the petitioner along with other Grade-II and Grade-I officers were finally published on three occasions but the petitioner had never raised any objection. He started inquiry in the year 2018 after his induction as IFS cadre under the Union of India and thereafter, when he found that he secured higher marks than that of the private respondent no.4, he submitted representation to the competent authority of the Government of Tripura asking to invoke the provision

mentioned in proviso (a) to Rule 29(1) of the Rules of 1988 and further revise and re-fix his seniority position.

19. Keeping in mind the facts and circumstances of the case of **Ajay Kumar Shukla** (*supra*) and the principles laid down therein by Hon'ble Supreme Court, I am of the opinion that in the present case the petitioner could have raised his objection in the year 2005 itself. In the present case, the petitioner accepted his seniority position as stepping stone for his subsequent promotion to the IFS cadre. Had there been any doubt in the mind of the petitioner regarding his seniority position that was settled in the year 2005 and re-settled in the year 2013, and further confirmed in the year 2017, the petitioner could have enquired as regards the marks obtained by him and other officers who joined with him as Grade-II Forest Officers under the respondents-Govt. of Tripura. But he never made any endeavour to make an inquiry about the marks obtained not only by him but also the other officers. In the year 2018, when he already has been inducted in the IFS cadre, he suddenly woke up from the slumber and approached learned CAT which was dismissed due to lack of jurisdiction. Thereafter, in the year 2024, the present writ petition has been filed. In the opinion of this Court, the present writ petition badly suffers from the doctrine of delay and laches. It is settled proposition of law that settled position of seniority should not be unsettled at a belated stage. The present writ petition has been filed after more than a decade to say more specifically, after more than 18 years since first seniority of the petitioner and the private respondent along with other officers was first settled in the year 2005.

20. That apart, the petitioner is no-longer an employee/officer of the State-respondents as he has already been inducted in IFS cadre in the

year 2017 following the final seniority list published in the year 2017 in continuation of the final seniority list published in the year 2005 and subsequently in the year 2013. I have meticulously gone through some decisions of the Hon'ble Apex Court relevant to the subject in issue, which may be discussed here-under:

21. In ***K.R. Mudgal & Ors. V. R.P.Singh & Ors.*** reported in ***AIR 1986 SC 2086***, it was held as under:

"A government servant who is appointed to any post ordinarily should at least after a period of 3-4 years of his appointment be allowed to attend to the duties attached to his post peacefully and without any sense of insecurity....."

"Satisfactory service conditions postulate that there shall be no sense of uncertainty amongst the Government servants created by writ petitions filed after several years as in this case."

"It is essential that anyone who feels aggrieved by the seniority assigned to him should approach the Court as early as possible otherwise in addition to creation of sense of insecurity in the mind of Government servants, there shall also be administrative complication and difficulties."

21.1 In ***Malcom Lawrance Cecil D'Souza V. Union of India & Ors.***

reported in ***AIR 1975 SC 1269***, wherein it had been observed as under:-

"Although security of service cannot be used as a shield against the administrative action for lapse of a public servant, by and large one of the essential requirements of contentment and efficiency in public service is a feeling of security. It is difficult no doubt to guarantee such security in all its varied aspects, it should at least be possible to ensure that matters like one's position in a seniority list after having been settled for once should not be liable to be re-opened after lapse of many years in the instance of a party who has itself intervening party chosen to keep quiet. Raking up old matters like seniority after a long time is likely to resort in administrative complications and difficulties. It would, therefore, appear to be in the interest of smoothness and efficiency of service that matters should be given a quietus after lapse of some time."

21.2 In ***B.S. Bajwa & Anr. V. State of Punjab & Ors.***, reported in

(1988) 2 SCC 523, the Hon'ble Supreme Court while deciding the similar

issue re-iterated the same view, observing as under:-

"It is well settled that in service matters, the question of seniority should not be re-opened in such situations after the lapse of

reasonable period because that results in disturbing the settled position which is not justifiable. There was inordinate delay in the present case for making such a grievance. This alone was sufficient to decline interference under Article 226 and to reject the writ petition.”

21.3 In **Dayaram Asanand V. State of Maharashtra & Ors.**, reported in **AIR 1984 SC 850**, while re-iterating the similar view the Apex Court held that *in absence of satisfactory explanation for inordinate delay of 8-9 years in questioning under Article 226 of the constitution, the validity of the seniority and promotion assigned to other employee could not be entertained.*

21.4 In **P.S. Sadasivaswamy V. State of Tamil Nadu**, reported in **AIR 1974 SC 2271**, the Apex Court considered the case where the petition was filed after lapse of 14 years challenging the promotion. However, it was held that aggrieved person must approach the Court expeditiously for relief and it is not permissible to put forward stale claim. The Court that - *a person aggrieved by an order promoting a junior over his head should approach the Court at least within 6 months or at the most a year of such promotion.*

22. The law on the subject is well-settled and finds expression in **Union of India Vs. A. Durairaj**, reported in **(2010) 14 SCC 389**. It would be profitable to refer to the following observations made by the Supreme Court:

“13. It is well settled that anyone who feels aggrieved by non-promotion or non-selection should approach the Court/Tribunal as early as possible. If a person having a justifiable grievance allows the matter to become stale and approaches the Court/Tribunal belatedly, grant of any relief on the basis of such belated application would lead to serious administrative complications to the employer and difficulties to the other employees as it will upset the settled position regarding seniority and promotions which has been granted to others over the years. Further, where a claim is raised beyond a decade or two from the date of cause of action, the employer will be at a great disadvantage to effectively contest or counter the claim, as the officers who dealt with the matter and/or the relevant records relating to the matter may no longer be available. Therefore, even if no period of

limitation is prescribed, any belated challenge would be liable to be dismissed on the ground of delay and laches.”

23. Applying the principle in **B.S. Bajwa** (supra), coupled with the principles laid down in the judgments referred to here-in-above, in **A. Durairaj**, it is clear that the petitioner’s claim to recast seniority list has become stale after long 18 years. The petitioner was aware of the rule from the day he entered into service but never raised any objections and ever, he never expressed in grievance. To say it otherwise, questioning seniority position when he was in service under the Government of Tripura as State cadre three un-opposed seniority lists were published, solidifying the existing order.

24. To make matters more complex, the petitioner is no longer serving under the State Government and has been inducted into the IFS cadre, which falls under the Indian Forest Service Rules and not under the Rules of 1988 prevalent in the State of Tripura. In the opinion of this Court, the petitioner sleeping over the matter for such long time has lost his right to invoke writ jurisdiction of the Court.

25. Keeping in view of aforesaid analysis on settled position in law, in my opinion, the instant writ petition is badly hit by the doctrine of delay and laches, having been filed after a lapse of more than 18 years without any explanation and that too, after being inducted to IFS cadre in the year 2017.

26. For the reasons recorded and discussed here-in-above, I find no merit in the present writ petition and accordingly, the same is dismissed. However, there shall be no order to costs.

JUDGE

sanjay