

HIGH COURT OF TRIPURA

_A_G_A_R_T_A_L_A_

WP(C) No.363 of 2025

1. Kanika Acharjee (Nandi), wife of Sri Pradip Kumar Nandi, resident of village & P.O. Kanchannagar, P.S. Santirbazar, District: South Tripura, PIN-799144. Age-61 years.

.....Petitioner

_V_E_R_S_U_S_

1. The State of Tripura, represented by the Commissioner & Secretary to the Education (School) Department, Government of Tripura, New Secretariat Complex, Gurkhabasti, Agartala, PO- Kunjaban, PS- New Capital Complex, Sub-Division- Sadar, District- West Tripura.
2. The Secretary, Finance Department, Government of Tripura, New Secretariat Complex, Gurkhabasti, Agartala, PO- Kunjaban, PS- New Capital Complex, Sub-Division- Sadar, District- West Tripura.
3. The Director of Elementary Education, Government of Tripura, Shiksha Bhavan, Office Lane, P.O. Agartala, P.S. West Agartala, District: West Tripura, PIN-799001.
4. The Inspector of Schools, Santirbazar, Government of Tripura, District: South Tripura.

.....Respondents

For Petitioner(s)	:	Mr. K. Chakraborty, Advocate.
For Respondent(s)	:	Mr. K. De, Addl. G.A.

HON'BLE JUSTICE DR. T. AMARNATH GOUD

_F_I_N_A_L_O_R_D_E_R_

17.11.2025

Heard.

[2] The present petition has been filed under Article-226 of the Constitution of India directing the respondents to fix the pay of the petitioner by granting her the relevant higher pay scale of Graduate Teacher with effect from the date of her acquiring B.A. Degree in terms of the decision taken by the respondents vide letter dated 01.11.2024 and in terms of the Finance Department Memorandum dated 07.12.1992 and thereupon to make payment of the financial benefit thereof and also to modify the PPO of the petitioner, thereby enhancing her monthly pension and other post retiral benefits, including arrears thereof, along with all other consequential benefits flowing therefrom.

[3] The petitioner has prayed for the following reliefs:

“(i) 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, mandating/directing them, to fix the pay of the Petitioner, by granting her the relevant higher pay scale of Graduate Teacher, with effect from the date of her acquiring B.A. Degree (i.e., w.e.f. 07.02.2000), in terms of the decision

taken by the Respondents vide the Letter dated 01.11.2024 (Annexure-12 supra) and in terms of the Finance Department Memorandum dated 07.12.1992 (Annexure-13 supra), and thereupon, to make payment of the financial benefits thereof, and also, to modify the PPO of the Petitioner, thereby enhancing her monthly pension and other post retiral benefits, including arrears thereof, alongwith all other consequential benefits flowing therefrom;.

ii. Call for the records, appertaining to this writ petition;

iii. After hearing the parties, be pleased to make the Rule absolute in terms of (i) above.

(iv) Costs of and incidental to this proceeding”

[4] The facts in brief are that on 03.12.2990, the petitioner had joined as Assistant Teacher, under the Education Department, Government of Tripura. On 19.08.1997, the petitioner was granted 'No Objection' to appear at the B.A. Final Examination. On 07.02.2000, the petitioner passed the BA Examination, and was thereupon absorbed as Graduate Teacher, but, she was not granted the relevant pay scale of the said post. On 21.09.2022, the petitioner was promoted as Headmistress, on ad hoc basis. The petitioner submitted representations dated 19.07.2022 & 09.01.2024, praying for granting Graduate scale. On 31.01.2024, the petitioner proceeded to retirement.

[5] Further, the petitioner served a Legal Notice dated 27.05.2024, praying for granting the pay scale of Graduate Teacher, with effect from the date of her acquiring of BA Degree. On 11.07.2024, the Joint Director, Elementary Education, Government of Tripura issued a Communication to the Inspector of Schools, Santirbazar, South Tripura, thereby requesting him for furnishing a detailed report regarding the pay related issues of the petitioner. On 01.11.2024, the respondents took a decision to grant the relevant benefit of higher pay scale, from the date of her acquiring BA Degree, by following a Finance Department Memorandum bearing reference No. F.4(62)-Fin(PC)/92 dated 07.12.1992. But, no action taken in connection therewith till date.

[6] Being aggrieved by and dissatisfied with the same, the present petition has been preferred by the petitioner before this Court for redress.

[7] In view of above and having heard the learned counsel appearing for the parties, it has been observed that the claim made by the writ petitioner was processed and an internal communication dated 11.07.2024 and 01.11.2024 stood without attaining finality. In view of the same, without expressing any opinion on merits, this Court is of the view that ends of justice would be met if the matter is disposed of by directing the respondents to consider the case of the petitioner as per

legal notice/representation filed by the petitioner, in accordance with law, facts and rights be decided as expeditiously as possible preferably within a period of three months from the date of the receipt of the copy of this order. Accordingly, the same is ordered. Further, it is made clear that whatever the decision is taken by the concerned respondents, the same may be communicated to the petitioner.

[8] As such, the present petition stands disposed of. As a sequel, miscellaneous application, pending if any, shall stands closed.

DR.T. AMARNATH GOUD, J

A. Ghosh

ANJAN GHOSH Digitally signed by ANJAN GHOSH
Date: 2025.11.20 16:48:21 +05'30'

