

**HIGH COURT OF TRIPURA
AGARTALA
WA NO.91 OF 2024**

**HON'BLE JUSTICE DR. T. AMARNATH GOUD
HON'BLE JUSTICE BISWAJIT PALIT**

Sri Sudep Deb

..... Appellant(s)

Versus

The State of Tripura and ors.

.....Respondent(s)

For the Appellant(s) : Mrs. Sujata Deb(Gupta), Advocate.
Mr. Bikram Paul, Advocate.
Mr. Rumpa Dey, Advocate.

For the Respondent(s) : Mr. Kohinoor N. Bhattacharyya, G.A.
Mr. D. Sharma, Addl. G.A.

Date of hearing and delivery of
Judgment & Order : 13.08.2025.

Whether fit for reporting : NO.

J U D G M E N T & O R D E R(ORAL)

T. Amarnath Goud, J

1. Heard Mr. D. Sharma, learned counsel appearing for the respondent-State.

2. The brief fact of this case is that the appellant has filed a writ petition under Article 226 of the Constitution of India, vide WP(C) No. 456 of 2023, before the Hon'ble Single Judge seeking following reliefs:-

“i) Admit this petition of the petitioners and call for records relevant to the subject matter from the custody of the respondents.

ii) Issue Writ directing the respondents no. 1 to 11 to to quash the Notification vide No. F.1 (1-2)-SE/ Samagra/Estt./ RCMT/STF/2019 (L)/

5265, Dated 27.03.2023 and notification vide no. F.1 (1-2) - SE/Samagra/Esst./ RCMT/STF/2019/6951-52 dated 05.06.2023 issued by respondent No.3.

iii) Issue Writ directing the respondents no. 1 to 11 to quash the notification vide No. F.2 (34)-EDN (W)/ Samagra (Esst.) /2018/13031 dated 15.07.2023 issued by respondent no. 4, notification vide No. F.2 (1-21)/ EDN KH/ Samagra/Esst./2016/947 dated 15.07.2023 issued by respondent no. 5, notification vide No. F.7(1-1) EDN/SPJ/ Samagra/ ESST/2018-19/1226 dated 15.07.2023 issued by respondent no. 6, notification vide No. F.3(2-3)/ DEO(U)/Samagra/KLS/2018-19/3292 dated 15.07.2023 issued by respondent no. 7, notification vide No. F.18(1)/DEO(N)/DMN/SAMAGRA/ESST/2019/2475 dated 15.07.2023 issued by respondent no. 8, notification vide No. F.11 (4-2) -vide F.8 EDN (G)/Samagra/ Esst./ 2023/380 dated 15.07.2023 issued by respondent no. 9, notification No. (32)/DPC(S)/Esst./ RCMT/SmSA/ 2023/108 dated 15.07.2023 issued by respondent no. 10 and notification vide No. F.6(28-1)/EDN (D)/Samagra/Esst./ BRP/2023/11189(A) dated 15.07.2023 issued by respondent 11

iv) Issue Writ directing the respondents no. 1 to 11 to consider the respondent nos. 12, 13 & 14 against the General Category seats as they have secured more marks than the last of general category candidates i.e. the respondent nos. 20, 21 & 22.

v) Issue Writ directing the respondent nos. 1 to 11 to consider the selection of the petitioner no. 1 and others against the vacancies reserved for the Schedule Castes.

v) Issue Writ directing the respondents nos. 1 cancel the selection of respondents nos. 15 to 20 as they are not having essential teaching experience in Government/Govt. Aided/Private schools and an inherent aptitude for training and research as per the Memo dated 22.05.2022 issued by Respondent no. 3.

AND

vi) Pass such other or further order/orders and directing/directions as to your Lordship deem fit and proper having regard to the facts and circumstances of the case."

3. On 30.11.2023, the Hon'ble Single Judge passed a Judgment and Order in the said writ petition, directing the respondents to complete the counselling process for the post of Cluster Resource Person (CRP) within a reasonable period of 4(four) weeks. However, the respondents failed to comply with the said judgment and order dated 30.11.2023, even after the expiry of the stipulated 4(four) weeks period. Thereafter, the appellant submitted several representations, requesting compliance with the order

dated 30.11.2023 of the Hon'ble Single Judge, but the respondents did not take any steps or initiatives to implement the same.

4. Being aggrieved and dissatisfied with the aforesaid Judgment and Order dated 30.11.2023, passed in WP(C) No. 456 of 2023, the appellant has preferred the instant appeal.

5. Mr. D. Sharma, learned Addl. G.A., appearing for the State-respondent submits that that the selection process has been completed and the petitioner-appellant obtained fewer marks and, therefore, was not considered for selection.

6. Heard and perused the record.

7. The present writ appeal has been filed against the order passed by the learned Single Judge dated 30.11.2023. In the said writ petition, it is expressed that the selection process is yet to be concluded and during the course of selection process, the writ petition came to be filed. Now, at this juncture, since the selection process is completed, it is represented by the learned Addl. G.A., that the petitioner obtained less marks and was not considered. However, this Court is not inclined to go into the said aspect of the final selection and nothing survives to be adjudicated in this appeal.

8. Accordingly, the appeal is liable to be treated as infructuous, as a fresh cause of action has arisen and the present proceedings in the earlier writ petition no longer survive.

9. Accordingly the present writ appeal stands dismissed. As a sequel, stay if any stands vacated. Pending application(s), if any also stands closed.

B. PALIT, J

DR. T. AMARNATH GOUD, J

suhanjit

**SABYASACHI
HI GHOSH**

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