

HIGH COURT OF TRIPURA

_A_G_A_R_T_A_L_A_

WA. No.87 of 2025

1. The State of Tripura, represented by the Chief Secretary, Government of Tripura, Agartala, Civil Secretariat, P.O. Kunjaban, PIN-799006.
2. The Secretary to the Government of Tripura, Department of Social Welfare and Social Education, Civil Secretariat, P.O. Kunjaban, Agartala, Pin-799006
3. Additional Secretary to the Government of Tripura, Department of Social Welfare and Social Education, Civil Secretariat, P.O. Kunjaban, Agartala, Pin-799006.
4. The Secretary to the Government of Tripura, Department of Finance Department, Civil Secretariat, P.O. Kunjaban, Agartala, PIN-799006.
5. The Director of Social Welfare and Social Education, Government of Tripura, Abhoynagar, P.O. Abhoynagar, Agartala, P.S. East Agartala, District: West Tripura, PIN-799005.
6. Additional Director of Social Welfare and Social Education, Government of Tripura, Abhoynagar, P.O. Abhoynagar, Agartala, P.S. East Agartala, District: West Tripura, PIN-799005.
7. Child Development Project Officer, Government of Tripura, Melaghar NP ICDS Project, Melaghar, Sepahijala District.

.....Appellants

_V_E_R_S_U_S_

1. Smti. Jharna Das, wife of Sri Ranjit Das, resident of Gorurbandh, P.O. Urmai, P.S. Sonamura, District: Sepahijala Tripura.
2. The Accountant General (A&E), Tripura, Malancha Nivash, P.O. Kunjaban, P.S. West Agartala, District: West Tripura.

.....Respondent

.....Pro-forma-respondent

For Appellant(s)	:	Mr. M. Debbarma, Addl. G.A.
For Respondent(s)	:	Mr. K. Pandey, Advocate.

HON'BLE JUSTICE DR. T. AMARNATH GOUD
HON'BLE MR. JUSTICE S. DATTA PURKAYASTHA

_F_I_N_A_L_O_R_D_E_R_

09.12.2025

Heard.

[2] This is an appeal filed under Chapter-VIII Rule-B (A) as per the High Court of Tripura Rules, 2023, preferred against the impugned judgment and order dated 25.04.2025 passed in WP(C) No.799 of 2023 by the learned Single Judge.

[3] The appellants have sought for the following reliefs:

- (i) Admit the appeal.

(ii) Call for the records of the impugned judgment & order dated 25.04.2025 in WP(C) No.799 of 2023 passed by the learned Single Judge.

(iii) Issue notice.

(iv) After hearing the parties be pleased to set aside the said impugned judgment & order dated 25.04.2025 in WP(C) No.799 of 2023 passed by the learned Single Judge and also dismiss the writ petition.”

[4] The facts in brief are that the petitioner/respondent herein is the retired School Mother who claimed for past service before the date of her regularization as per several judgments passed by this Court allowing the past service rendered as fixed pay wages. In contrary, the stand of the State respondent is since the matter has been decided in the Council of Ministers that the scheme of past service only to be applicable to those School Mothers who have not completed 10 years of service as regular employee in that event past service rendered as fixed pay wages would be counted for the purpose of pension and other retiral benefits. On the same theory, who completed 10 years of service as regular employee including the petitioner would not be required to count for past service for the purpose of pension and other retiral benefits.

[5] Having heard the learned counsel appearing for the parties, the learned Single Judge in WP(C) No.799 of 2023 has observed as under:

“[13] The writ petition is accordingly allowed. The respondent authority shall accordingly count the service rendered by the petitioner from the date of her joining as School Mother on consolidated fixed pay pursuant to the acknowledgment letter dated 13.07.1990 till her regularization be counted as her regular service on and from 25.07.1990 to 01.10.2007 till her superannuation on 31.03.2022 for calculating her pension and other retiral benefits. The respondent authority shall ensure that the pension is accordingly fixed and all retiral benefits be released in favour of the petitioner within a period of 4(four) months along with interest @ 7.5% per annum from the date of retirement of the petitioner till payment/deposit of the amount. The writ petition is accordingly stands disposed of.”

[6] Having been contrary on this point, the appellant-State has preferred this writ appeal against the impugned order passed by the learned Single Judge.

[7] Mr. M. Debbarma, learned Addl. G.A. appearing for the appellant-State in the midst of hearing has placed an order dated 10.11.2025 passed by the Hon’ble Apex Court in Special Leave to Appeal (C) No.(s) 32435-32438/2025 and submitted that the matter has been decided by the Hon’ble Apex Court on the issue involved herein and observed as under:

“1. Delay condoned.

2. Heard learned Counsel for the petitioner.

3. The High Court while passing the impugned an earlier order has placed reliance on Division Bench decision of the High Court in State of Smt. Mamata Rani Roy (Saha) vs. Tripura and Ors.
4. The learned Counsel for the petitioner does not dispute that Mamata Rani Roy (Saha) has since attained finality.
5. In such circumstances, we decline to entertain the petitions, the special leave petitions are, accordingly, dismissed.
6. Pending application(s), stand disposed of. if any, shall”

[8] He further represented that they are ready to close the present issue in terms of the order passed by the Hon’ble Apex by confirming the judgment and order passed by the learned Single Judge of this Court.

[9] Having heard the learned Addl. G.A. appearing for the appellant-State and perusal of the order of the Hon’ble Apex Court, the present appeal stands disposed of by confirming the judgment and order dated 25.04.2025 passed by the learned Single Judge in WP(C) No.799 of 2023.

[10] As a sequel, miscellaneous application(s), pending if any, shall also stand closed.

S. DATTA PURKAYASTHA, J

DR.T. AMARNATH GOUD, J

A. Ghosh

ANJAN GHOSH Digitally signed by ANJAN GHOSH
Date: 2025.12.17 13:59:08 +05'30'

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