

**HIGH COURT OF TRIPURA
AGARTALA**

Review Pet. No.21 of 2025

1.**The State of Tripura** represented by the Secretary, Department of Home, Government of Tripura, New Secretariat Building, New Capital Complex, Kunjaban, PS- New Capital Complex, Agartala, West Tripura, PIN- 799010.

2.**The Director General of Police**, Police Head Quarter, Govt. of Tripura, Fire Brigade Chowmuhani, PO- Agartala, West Tripura, PIN- 799001.

3.**The Inspector general of Police (TSR and OPS)**, Government of Tripura, Agartala West Tripura.

4.**The Commmandant**, 3rd BN TSR, Government of Tripura, PTS Wazirabad, Delhi 110090.

5.**The Commandant**, 5th BN TSR, HQr, Daluma, Amarpur, Gomati Tripura.

6.**The Commandant**, 8th Bn TSR Govt. of Tripura, Lalcherra, Chailengta, Dhalai, Tripura

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

Versus

Sri Kanwaljit Yadav, SO- Lt. Rajkaran, RO- Vill- Phideri, PO- MajraSheoraj, Rewari, Haryana, PIN- 123401

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

For Applicant(s) : Mr. Karnajit De, Addl.GA.

For Respondent(s) : Mr. P. Roy Barman, Sr.Advocate.
Ms. S. Debbarman, Advocate.

Date of hearing & : **15.12.2025**
Delivery of Judgment/
Order.

Whether fit for reporting:

Yes	No
	✓

HON'BLE MR. JUSTICE S. DATTA PURKAYASTHA

Judgment & Order(Oral)

Heard Ld. Counsel of both sides.

[2] Earlier in Writ Petition No.376 of 2024, one Kanwaljit Yadav challenges the order of dismissal dated 20.12.2023 by which he was dismissed from the service.

Thereafter, he preferred one appeal before the Appellate Authority on 27.12.2023.

[3] The Court disposed of the said writ petition in the following terms:

“[10] Considering that aspect, without giving any observation or findings on the merit of the writ petition, the writ petition is disposed of with a direction to the appellate authority to dispose of the said appeal preferably within 02(two) months from the date receipt of copy of this order. Needless to say, while disposing the appeal the appellate authority shall pass a reasoned order having due regards to the points of challenge as raised by the petitioner and as indicated above”.

[4] Now, this present review petition is filed by the state respondents and it is argued by Ld. Addl.GA, Mr. K. De that actually, before disposal of said writ petition, already appeal was disposed of by the appellate authority and vide communication dated 31.10.2024 said fact was also communicated to the writ petitioner and in counter affidavit same was also mentioned. Therefore, when the appeal has already been disposed of, it has become quite impossible for the respondents to comply with Judgment dated 26.06.2025 and therefore, the review petition has been filed so that no adverse action is taken against the state respondents for non compliance of said judgment.

[5] Ld. Sr. Counsel, Mr. P. Roy Barman submits that it was not within his notice that any such appeal was disposed of by the authority and his client also did not give any instruction in this regard. However, Ld. Sr. Counsel

submits that the petitioner has already filed another writ petition bearing No. 534 of 2025 challenging the said order of the appellate authority and also raising all the grounds which were raised in earlier writ petition No.376 of 2024 and same is pending before this Court at present.

[6] In view of above, Ld. Sr. Counsel submits that there is no need to review the previous judgment, as already a fresh writ petition is pending before the Court to adjudicate all the above said issues.

Considered the submission of both sides.

[7] The earlier judgment was passed, based on the submissions of Ld. Counsel of both sides, and none of the parties during hearing brought it to the notice of the Court that said departmental appeal was disposed of by the appellate authority by rejecting the same. For non placing of the actual facts before the Court at the time of hearing, the Court passed order in the said writ petition without giving any observation on findings on the merit of the case with a direction to the appellate authority to dispose of the said appeal preferably within 2 months from the date of receipt of copy said order.

[8] However, now as it appears, already said appeal was disposed of prior to disposal of said writ petition No. WP(C) 376 of 2024, therefore, said order passed by this Court has ultimately become infructuous and moreover, on

the same grounds and on the same cause of action and also challenging the rejection order of the appellate authority, a separate writ petition bearing No. WP(C)534 of 2025 is filed and is pending before this Court between the parties.

[9] Considering all these aspects, it is observed that even if the review petition on that ground is allowed and matter is reopened for re-adjudication in WP(C)No.376 of 2024, no fruitful purpose will be served as due to filing of a fresh writ petition, said writ petition has become infructuous.

[10] In view of above, there is no need of reopening of earlier writ petition bearing No. WP(C)376 of 2024 further by allowing this review petition. It is, however, observed that the respondents, in view of above said circumstances, are not required to comply the judgment dated 26.06.2025 passed in WP(C) No.376 of 2024.

[11] The review petition is accordingly disposed of.

Pending application(s), if any, shall also stand disposed of.

JUDGE

Saikat Sarma

RUDRADEEP BANERJEE
BANNERJEE