

HIGH COURT OF TRIPURA
AGARTALA
REVIEW PET. 24 OF 2025

1. Tripura University (to be represented by) the Registrar, having its office at Suryamaninagar, P.O. Suryamaninagar, P.S. Amtali, Agartala, District-West Tripura, Pin-799022.

2. The Vice-Chancellor, Tripura University, Suryamaninagar, P.O. Suryamaninagar, P.S. Amtali, Agartala, District-West Tripura, Pin-799022.

.... Review Petitioners

Vrs.

1. Sri Rangchak Tripura, son of Late Rati Chandra Tripura, Resident of Quarter No.T/11/Misc/02 of PWD Complex, Manu, Logtharai Valley, Dhalai, Tripura, Pin-799275. (Age-34 years)

... Respondent

2. Sri Lalit Prasain, son of Prof. Ganga Prasad Prasain, Tripura University Vice Chancellor's Bungalow, Care of Tripura University, Suryamaninagar, P.O. Suryamaninagar, P.S. Amtali, Agartala, District-West Tripura, Pin-799022.

.. Private Respondent

For the review : Mr. B.P. Sahu, Sr. Advocate.
petitioners (s) Ms. K. Devi, Advocate.

For the respondent(s) : None.

HON'BLE MR. JUSTICE S. DATTA PURKAYASTHA

Order

23.09.2025

Heard learned senior counsel, Mr. B.P. Sahu for the petitioners.

Earlier, in WP(C) 167 of 2025, a petition was submitted by the present petitioners [respondents therein] alleging that the writ petition was not maintainable. That petition was heard at length and was disposed of on 06.08.2025 with the following observations:

"7. This Court has gone through the aforesaid decisions of the Hon'ble Supreme Court, as referred by the parties, and also the allegations as well as contentions of the parties. As per the writ petitioner, his challenge is not merely the change of Rules of the selection process in the midway,

rather, he has also challenged the entire selection process on the ground of arbitrariness, biasness and favouritism. Therefore, the issues as has been raised in the writ petition are not only the change of the Rules but also the misapplication of the same by way of discrimination and biasness. Therefore, the writ petition cannot be rejected at this stage merely on the ground that the petitioner has no right to challenge the alteration of the eligibility criteria of the candidate after issuance of said advertisement, inasmuch as, he has challenged the entire selection process not only on the ground of the change of rules but also on the grounds of favouritism and biasness.

8. *In view of the above discussions, the affidavit submitted by the respondents No.1, 2 & 3 challenging the maintainability of the writ petition is rejected at this stage. However, it will be open for the respondents to argue on this point of maintainability at the time of final hearing.*

9. *Respondents are directed to submit counter affidavit on the next date positively.*

List the matter after 3(three) weeks.”

Now, challenging the said order, the present petition for review has been filed on the ground that this Court has erred in law and has failed to consider the law laid down by the Apex Court in catena of cases and that petition for maintainability should be decided first and then, only hearing on the merit can be done.

In my considered opinion, above said grounds are not the grounds enumerated in Order 47, Rule 1 of CPC to entertain a review petition. It is not a case of the present review petitioners that they have discovered new and important matter or evidence which was not within their knowledge earlier or there are some mistakes or error apparent on the face of the record or any other sufficient cause to entertain the petition for review. Earlier, in the said order dated 06.08.2025, it was unambiguously observed that the writ petition could not be rejected at this stage merely on the ground that the petitioner had no right to challenge the alteration of the eligibility criteria of the candidate after issuance of the advertisement, inasmuch as, he has challenged the entire selection process not only on the ground of the change of rules but also on the grounds of favouritism and biasness and the petition was accordingly rejected in specific terms.

Despite clear rejection of the said petition filed on the ground of the maintainability of the writ proceeding, further scope was given to the present review petitioners to argue on the point raised by them, at the time of final hearing when the cases of both the parties will be examined in its entirety, and challenges of the writ petitioner in the writ petition are on different grounds, but, giving of such liberty to the review petitioners cannot be permitted to be utilised now by them to invoke review jurisdiction.

Situated thus, the petition for review is rejected *in limine*.

JUDGE

SANJAY GHOSH Digitally signed by SANJAY GHOSH
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