

**HIGH COURT OF TRIPURA
AGARTALA**

WP(C) 532 of 2025

Sri Sumanta Bhattacharjee (61 years)

S/o-Late Jyotilal Bhattacharjee, R/o 15 officers' quarter lane, Krishnanagar,
Agartala, District- West Tripura, Pin-799001.

---Petitioner(s)

Versus

1. **The State of Tripura**, represented by the Secretary, to the Govt. of Tripura, Department of Power, Government of Tripura, P.O.- Kunjaban, P.S.- NCC, District- West Tripura, Pin-799001.
2. **The Secretary**, Department of Power, Govt. of Tripura, New Secretariat Complex, Gorkha Basti, P.O.- Kunjaban, P.S.- NCC, Dist. - West Tripura, Pin- 799001.
3. **Tripura State Electricity Corporation Limited**, Represented by its Chairman Cum Managing Director, Corporate Office, Bidyut Bhavan, North Banamalipur, P.O- Agartala, P.S.- East Agartala, Dist- West Tripura.
4. **The Chairman cum Managing Director**, Tripura State Electricity Corporation Limited, Corporate Office, Bidyut Bhavan, North Banamalipur, P.O.- Agartala, P.S.- East Agartala, Dist.- West Tripura.
5. **The Deputy General Manager (Corporate)**, Tripura State Electricity Corporation Limited, Corporate Office, Bidyut Bhavan, North Banamalipur, P.O.- Agartala, P.S.- East Agartala, Dist.- West Tripura.
6. **The Manager, General Deputy Transmission Division**, Agartala, Tripura Power Transmission Limited, Address- 79 Tilla, Agartala, Dist.- West Tripura, 799006.
7. **The Secretary**, Finance Department, Govt. of Tripura, P.O.- Kunjaban, P.S.- New Capital Complex, District- West Tripura.
8. **The Accountant General (A & E) Tripura**, Agartala.

---Respondent(s)

For Petitioner(s)	:	Mrs. Sujata Deb (Gupta), Advocate. Mr. Bikram Paul, Advocate. Mr. Prakash Pal, Advocate. Ms. Ankita Saha, Advocate. Mr. Ramprasad Gope, Advocate. Ms. Rumpa Dey, Advocate.
For Respondent(s)	:	Mr. Kohinoor N. Bhattacharjee, GA. Mr. K. De, Addl. GA.

HON'BLE JUSTICE DR. T. AMARNATH GOUD

Order

25.09.2025

[1] This is a petition under Article 226 of the Constitution of India for seeking the following relief(s):

- (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 of Mandamus or in the nature thereof directing the respondents to provide the petitioner the benefit of 2nd ACP w.e.f. from 09.09.2009 i.e. on the completion of total 17years continuance service as Junior Engineer Grade-V (A).*
- (iii) *Issue Writ of Mandamus or in the nature thereof directing the respondents to provide the petitioner the benefit of 3rd MACP w.e.f. from 09.09.2017 i.e. on the completion of total 25 years continuance service as Junior Engineer Grade-V (A).*
- (iv) *Issue Writ of Certiorari or in the nature thereof directing the respondent No. 5 for setting aside the letter, vide No. F.1(106)-TSECL/Estt-II/ 2015/29272 dated 07.09.2016, issued by respondent No. 5.*
- (v) *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.*

[2] It is the case of the petitioner that he was appointed as Overseas/Estimator (Electrical) in the Department of Power, Govt. of Tripura (now TSECL) on 17.09.1988, on the recommendation of TPSC, under the Tripura Power Engineering Services Rules, 1987. The petitioner claims entitlement to 2nd ACP on completion of 17 years of continuous service w.e.f. 09.09.2005 and 3rd ACP/MACP on completion of 25 years of service, as per the Tripura State Civil Services (Revised Pay) Rules, 2009/2017.

[3] Earlier, similarly situated persons filed WP(C) Nos. 488/2019 and batch matters, wherein by common judgment dated 03.03.2021, this Court directed the respondents to grant such benefits. Although TSECL partly complied by granting 2nd ACP, it failed to extend 3rd MACP benefits.

[4] Subsequently, in WP(C) No. 993/2022 and WP(C) No. 121/2024, this Court again directed the respondents to extend similar benefits to petitioners therein. Despite repeated representations dated 10.12.2015, 12.12.2015, 05.04.2016, 01.07.2016, 14.07.2020, 18.04.2023 and 06.03.2024, the petitioner's grievances remain unaddressed.

[5] Being aggrieved by the inaction of the respondents, the petitioner has approached this Court by filing the present writ petition.

[6] Heard and perused the record.

[7] It is seen from the record that it is the second round of litigation by the petitioner stating that the petitioner is entitled for the 2nd and the 3rd ACP. In view of the same, the petitioner has made a request to the respondents with regard to the 2nd ACP in 2016 and the said request was declined on the ground that while entering in the pre-revised scale of Rs.7,450-13,000/- the petitioner had consumed 03(three) scale upliftment as follows:

1. Rs.5,500-10,700/-, 2. Rs.6,500-12,300/-, 3. Rs.7,450-13,000/-

[8] The said communication was made on 16.09.2016. It is seen from the record that the petitioner has not challenged the said communication dated 16.09.2016.

[9] Now in view of the changing circumstances, the petitioner is claiming the 3rd ACP and made several request to the respondents. Since the same was not considered by the respondents, the petitioner sent a legal notice dated 06.03.2024 to the respondents to consider his case and the same has not been acted upon till date.

[10] In view of the same, without expressing any opinion on the merit of the case, the present writ petition is disposed of directing the respondents to consider the case of the petitioner with regard to the 3rd ACP only in accordance with law as expeditiously as possible, preferably within a period of three months from the date of receipt of this order.

[11] With the above observation and direction, this present writ petition stands disposed of. As a sequel, stay, if any, stands vacated. Pending application(s), if any, also stands closed.

JUDGE



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