

**HIGH COURT OF TRIPURA
AGARTALA
W.A. No.91 of 2025**

Sri Manoj Kumar Triveni, son of Sri Devendra Prasad Sah,
Resident of High School Road, Borio, PO and P.S Borio, Sahibganj,
Jharkhand-816120.

.....Appellants (s)

Versus

1.The State of Tripura,

(To be represented by the Commissioner cum Secretary, Higher Education Department, Government of Tripura) New Secretariat Building, New Capital Complex, Kunjaban, PS- New Capital Complex, Agartala, West Tripura, PIN- 799010.

2.The Commissioner cum Secretary, Finance Department, Government of Tripura, New Secretariat Building, New Capital Complex, Kunjaban, P.S. New Capital Complex, Agartala , West Tripura Pin – 799010.

3.The Director, Higher Education Department, Govt. of Tripura, Shiksha Bhawan, Office Lane, P.S. West Agartala, Agartala- West Tripura Pin- 799001,

4.Tripura Institute of Technology, (To be represented by its Principal), Narsingarh, P.S. Airport, Agartala, West Tripura, PIN- 799009

.....Respondent(s)

W.A. No.92 of 2025

Sri Abhishek Bhattacharjee, son of Sri Ajoy Nrisingha Bhattacharjee, resident of Ramnagar, Road No.8, Agartala,799002, P.S. West Agartala, District- West Tripura.

.....Appellants(s)

Versus

1. The State of Tripura,

(To be represented by the Commissioner cum Secretary, Higher Education Department, Government of Tripura) New Secretariat Building, New Capital Complex, Kunjaban, PS- New Capital Complex, Agartala, West Tripura, PIN- 799010.

2.The Commissioner cum Secretary, Finance Department, Government of Tripura, New Secretariat Building, New Capital Complex, Kunjaban, P.S. New Capital Complex, Agartala , West Tripura Pin – 799010.

3. The Director, Higher Education Department, Govt. of Tripura, Shiksha Bhawan, Office Lane, P.S. West Agartala, Agartala- West Tripura Pin-799001.

4. Tripura Institute of Technology, (To be represented by its Principal), Narsingarh, P.S. Airport, Agartala, West Tripura, PIN- 799009.

.....Respondent(s)

W.A. No.93 of 2025

Sri Sujoy Das, son of Sri Jaharlal Das, R/o –Sekerokote, Purba Para, Bikramnagar, P.S. Amtali, PIN-799130, District West Tripura.

.....Appellant(s).

Versus

1. The State of Tripura,

(To be represented by the Commissioner cum Secretary, Higher Education Department, Government of Tripura) New Secretariat Building, New Capital Complex, Kunjaban, PS- New Capital Complex, Agartala, West Tripura, PIN- 799010.

2.The Commissioner cum Secretary, Finance Department, Government of Tripura, New Secretariat Building, New Capital Complex, Kunjaban, P.S. New Capital Complex, Agartala , West Tripura Pin – 799010.

3. The Director, Higher Education Department, Govt. of Tripura, Shiksha Bhawan, Office Lane, P.S. West Agartala, Agartala- West Tripura Pin-799001.

4. Tripura Institute of Technology, (To be represented by its Principal), Narsingarh, P.S. Airport, Agartala, West Tripura, PIN- 799009.

.....Respondent(s)

W.A No.94 of 2024

Sri Supantha Paul, S/o- Sri Sailendra Paul, R/o - Jail Ashram Road, Agartala, West Tripura, P.O.: Dhaleswar, P.S.: East Agartala, Pin-799007.

.....Appellant(s)

Versus

1. The State of Tripura,

(To be represented by the Commissioner cum Secretary, Higher Education Department, Government of Tripura), New Secretariat Building, New Capital Complex, Kunjaban, P.S -New Capital Complex, Agartala, West Tripura, PIN 799010.

2.The Commissioner cum Secretary, Finance Department, Government of Tripura, New Secretariat Building, New Capital Complex, Kunjaban, P.S New Capital Complex, Agartala, West Tripura, PIN 799010.

3. The Director, Higher Education Department, Government of Tripura, Shiksha Bhawan, Office Lane, P.S - West Agartala, Agartala, West Tripura, PIN 799001.

4. Tripura Institute of Technology

(To be represented by its Principal) Narsingarh, PS- Airport, Agartala, West Tripura, PIN-799009.

.....Respondent(s)

W.A. No. 95 of 2025

Sri Prasenjit Debnath, son of Sri Nanigopal Debnath, resident of 88, Ghosh Para, Aralia, Agartala-799004, P.S. East Agartala, District- West Tripura.

.....Appellant(s)

Versus

1. The State of Tripura

(To be represented by the Commissioner cum Secretary, Higher Education Department, Government of Tripura), New Secretariat

Building, New Capital Complex, Kunjaban, P.S -New Capital Complex, Agartala, West Tripura, PIN 799010.

2.The Commissioner cum Secretary, Finance Department, Government of Tripura, New Secretariat Building, New Capital Complex, Kunjaban, P.S New Capital Complex, Agartala, West Tripura, PIN 799010.

3. The Director, Higher Education Department, Government of Tripura, Shiksha Bhawan, Office Lane, P.S - West Agartala, Agartala, West Tripura, PIN 799001.

4. Tripura Institute of Technology
(To be represented by its Principal) Narsingarh, PS- Airport, Agartala, West Tripura, PIN-799009.

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

W.A. No. 96 of 2025

Sri Tamar Das, son of late Sudhan Das, R/o Bhagat Singh Para, Shantirbazar-799144, Shantirbazar, District-South Tripura P.S. Santirbazar.

.....**Appellant(s)**

Versus

1. The State of Tripura
(To be represented by the Commissioner cum Secretary, Higher Education Department, Government of Tripura), New Secretariat Building, New Capital Complex, Kunjaban, P.S -New Capital Complex, Agartala, West Tripura, PIN 799010.

2.The Commissioner cum Secretary, Finance Department, Government of Tripura, New Secretariat Building, New Capital Complex, Kunjaban, P.S New Capital Complex, Agartala, West Tripura, PIN 799010.

3. The Director, Higher Education Department, Government of Tripura, Shiksha Bhawan, Office Lane, P.S - West Agartala, Agartala, West Tripura, PIN 799001.

4. Tripura Institute of Technology

(To be represented by its Principal) Narsingarh, PS- Airport, Agartala, West Tripura, PIN-799009.

.....Respondent(s)

W.A. No. 97 of 2025

Sri Piyush Singh, son of Sri Ram Jiyavan Singh, resident of Ranipur, Khajagipur, Mirzapur, PO and P.S. Mirzapur, Uttar Pradesh, 231304.

.....Appellant(s)

Versus

1. The State of Tripura

(To be represented by the Commissioner cum Secretary, Higher Education Department, Government of Tripura), New Secretariat Building, New Capital Complex, Kunjaban, P.S -New Capital Complex, Agartala, West Tripura, PIN 799010.

2. The Commissioner cum Secretary, Finance Department, Government of Tripura, New Secretariat Building, New Capital Complex, Kunjaban, P.S New Capital Complex, Agartala, West Tripura, PIN 799010.

3. The Director, Higher Education Department, Government of Tripura, Shiksha Bhawan, Office Lane, P.S - West Agartala, Agartala, West Tripura, PIN 799001.

4. Tripura Institute of Technology

(To be represented by its Principal) Narsingarh, PS- Airport, Agartala, West Tripura, PIN-799009.

.....Respondent(s)

For the Appellant(s)	:	Mr. P. Roy Barman, Sr. Advocate. Mr. Samarjit Bhattacharjee, Advocate. Mr. T. Dhar, Advocate.
For the Respondent(s) :		Mr. Kohinoor N. Bhattacharyya, G.A. Mr. D. Sarma, Addl.G.A. Mr. K. De, Addl.G.A.

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

[Dr. T. Amarnath Goud, JJ]

05.11.2025

[1] Heard Mr. P. Roy Barman, learned senior counsel assisted by Mr. T. Dhar, learned counsel appearing for the appellants. Also heard Mr. D. Sarma, learned Addl.G.A. appearing for respondents-State.

[2] This present writ appeals have been filed under Section 226 of the Constitution of India seeking to set aside the impugned order dated 12.08.2025, passed in connected writ petitions, wherein the prayer for regularization of the services of the petitioners (appellants herein) have been rejected.

[3] Since, the subject-matter involved in these appeals are similar in nature arising out of common judgment and order dated 12.08.2025, passed in the connected writ petitions and the learned counsel appearing for both the parties are also same in the present writ appeals, these are taken up together for disposal in a common order.

[4] The brief facts of the case is that the appellants herein are the Assistant Professors and they filed these appeals for regularization in service. It is pertinent to mention here that learned Single Judge of this Court by an Order, dated, 12.08.2025, in connected writ petitions dismissed the case, wherein the learned Single Judge held that, the appellants are not entitled to regularisation in the post of Assistant Professor, and that, the appellants are also not entitled to "equal pay for equal work" as compared the regular faculty in TIT, given that the appellants were engaged under the TEQIP-III Project. The appellants have filed the instant appeals, seeking setting aside of the impugned Order, 12.08.2025, and seeking relief prayed for in the connected Writ Petitions.

[5] Mr. P. Roy Barman, learned senior counsel appearing for the appellants submits before this Court that the appellants are the Assistant Professors of TIT, Govt. of Tripura and they were appointed under a scheme named as TEQIP III against the sanctioned posts. He also points out a communication letter dated 25th March, 2019 issued by the Central Project Advisor to the Principal Secretary, Higher Education Department, Govt. of Tripura regarding State Govt. Policy to absorb or continuation of TEQIP faculty.

[6] That another communication dated 09.11.2022 was also made by the Principal, TIT to the Director of Higher Education, Govt. of Tripura regarding absorption of NPIU TEQIP –III faculties in Govt. service as they are now serving as Assistant Professors (Contractual) under State Govt.

[7] On the other hand, Mr. K. De, learned Addl. G.A. submits before this Court that the appellants were engaged on temporary basis and in this regard he also referred the engagement offer dated 04.01.2018 issued by the Principal in Charge and Head of TEQIP Unit, TIT, Narsingarh, Tripura, West. He further contends that there is no cause of action and mandamus cannot be issued and prayed to dismiss.

[8] Heard both sides.

[9] It is the case of the appellants that they are the Assistant Professors and they are entitled for certain regularization in the light of the Government policy which is enshrined from time to time, in this regard there is also communication which the appellants relied upon dated 25th March 2019 and 09.11.2022 issued by the Central Project Advisor, National Project Implementation Unit, Govt. of India and Principal, TIT, Govt. of Tripura, respectively.

[10] In view of this, the appellants presumed that the respondents would consider the case of the appellants and also grant equal pay for equal work by regularizing their services. The petitioner preferred the writ petitions before this Court under Article 226 of the Constitution of India by filing writ of mandamus. Thereafter, learned Single Judge dismissed the writ petitions holding that the petitioners, (appellants herein) are not entitled for any relief. Aggrieved thereby, the present writ appeals are filed.

[11] Admittedly, there is no impugned proceedings nor any impugned action of the respondents under challenge nor the appellants approached the respondents seeking to consider their reliefs. It is needless to observe that mandamus cannot be issued unless there is any challenge in impugned proceedings nor impugned action of the respondents. There is no cause of action. In the absence of which, there cannot be any writ be issued. Accordingly, the writ appeals fails and the writ petitions at the preliminary stage is hit by maintainability and the same are liable to be dismissed.

[12] At this juncture, learned Senior counsel for the appellants represents before this Court that liberty may be given to the appellants to file representation before the respondents as they have not approached the respondents so far and there is no impugned order. It is needless to observe that it is always open for the appellants to make any representation before the respondents, if they so desired. On any representations, if preferred the respondents are at liberty to consider the same and pass appropriate orders as per law uninfluenced by the writ orders.

[13] Since, the writ itself is not maintainable, all the writ proceedings and order dated 12.08.2025 passed in the writ petitions stands set aside for the reasons indicated. Resultantly, these present appeals also stand dismissed.

[14] As a sequel, stay if any, stands vacated. Pending application(s), if any, also stands closed.

B. PALIT, J

DR. T. AMARNATH GOUD, J

Paritosh

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