

HIGH COURT OF TRIPURA
AGARTALA

WP(C) 657 of 2024

Anindya Sarkar

---Petitioner(s)

Versus

Tripura University and 5 Others.

---Respondent(s)

For Petitioner(s)	:	Mr. P Roy Barman, Sr. Advocate. Mr. K. Chakraborty, Advocate.
For Respondent(s)	:	Mr. Sankar Lodh, Advocate. Mr. S. Majumder, Advocate.

HON'BLE MR. JUSTICE T. AMARNATH GOUD

Order

24.04.2025

Heard learned counsel for the parties.

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

- Issue Rule, calling upon the Respondents and each one of them, to show cause as to why a Writ of Certiorari and/or in the nature thereof, shall not be issued, directing them, to transmit the records, lying with them, for rendering substantive and conscionable justice to the Petitioner;
- Issue Rule, calling upon the Respondents and each one of them, to show cause as to why a Writ of Mandamus and/or in the nature thereof, shall not be issued, mandating/directing them, to grant 2 unpaid annual increments (as accrued on 01.01.2023 & 01.01.2024), in favour of the Petitioner, with effect from the date of resumption of his duties under the Respondents (i.e., w.e.f. 09.02.2024) alongwith arrears thereof, and also, make payment of his full salary (after adjusting the leave salary), for the period, stretching from 09.02.2024 to 31.07.2024;
- Call for the records, appertaining to this Writ Petition;
- After hearing the parties, be pleased to make the Rule absolute in terms of (i) & (ii) above;
- Costs of and incidental to this proceeding
- Any other Relief(s) as to this Hon'ble High Court may deem fit and proper;

[3] It is the case of the petitioner that on 10.03.2016, the petitioner had joined as Assistant Professor, in the Department of Political Science, Tripura University. Since, the prayer of the petitioner for granting study leave to pursue Ph.D. outside the State was rejected by the respondents, the petitioner filed a Writ Petition [WP(C) No.610 of 2022]. By an Order dated 28.07.2022, this Court had

allowed the petitioner to proceed for pursuing Ph.D. outside the State. In tune therewith, on 18.08.2022, the respondents had granted study leave to the petitioner, and accordingly, he left for Kolkata, West Bengal, for pursuing Ph.D. at Presidency University. After expiry of the study leave, on 09.02.2024, the petitioner applied for rejoining his duties at Tripura University. By the impugned Letter dated 29.02.2024, the prayer of the petitioner for rejoining his duties was rejected by the respondents, on the purported premise that he could not complete his Ph.D. Vide a Judgment & Order (Oral) dated a 07.05.2024, passed in WP(C) No. 246 of 2024, the respondents were directed to accept the joining of the petitioner thenceforth. Thereafter, by an Order dated 29.07.2024, passed in WA No. 58 of 2024 (preferred by the respondents, assailing the said Judgment), the said Judgment was upheld. On 06.08.2024, the joining of the petitioner was accepted w.e.f. 09.02.2024. Being aggrieved by non-grant of two yearly increments (as accrued during his leave period, and which became payable on resumption of his duties) and also by non-grant of full salary (w.e.f. 09.02.2024 to 31.07.2024), by adjusting the leave salary, the petitioner submitted representations to the respondents on 13.08.2024 & 27.08.2024, requesting for releasing the same. But, the same were not released.

[4] Aggrieved by conduct of the respondent the petitioner has filed this writ petition.

[5] On bare perusal of the record it surfaces that the petitioner made a representation dated 27.08.2024 which has not been acted upon till date by the respondents.

[6] In view of above submission, without expressing any opinion on the merits of the case, this present writ petition is disposed of directing the respondents to consider the case of the petitioner in the light of the communicated

dated 27.08.2024 in accordance with law within a period of three months from the date of receipt of copy of this order.

[7] 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.

Dipak
**DIPAK
DAS**

Digitally signed
by DIPAK DAS
Date: 2025.04.29
10:26:59 +05'30'



सत्यमेव जयते

JUDGE