

HIGH COURT OF TRIPURA
AGARTALA

WP(C) 659 of 2024

Dr. Satyajit Das
Versus
The State of Tripura and Anr.
---Petitioner(s)
---Respondent(s)

WP(C) 660 of 2024

Dr. Pranajit Das
Versus
The State of Tripura and Anr.
---Petitioner(s)
---Respondent(s)

WP(C) 667 of 2024

Dr. Sukanta Jamatia
Versus
The State of Tripura and Anr.
---Petitioner(s)
---Respondent(s)

WP(C) 683 of 2024

Dr. Debarshi Ghosh
Versus
The State of Tripura and Anr.
---Petitioner(s)
---Respondent(s)

For Petitioner(s)	:	Mr. P Roy Barman, Sr. Advocate. Mr. S. Bhattacharjee, Advocate.
For Respondent(s)	:	Mr. Kohinoor N Bhattacharjee, GA.
Date of hearing and date of judgment and order	:	15.05.2025.
Whether fit for reporting	:	No

HON'BLE MR. JUSTICE T. AMARNATH GOUD

Order

Heard learned counsel for the parties.

[2] Since common questions of law and facts are involved, all the writ petitions are taken up together for disposal by this common judgment on the consent of learned counsels appearing for the parties.

[3] The fact, in a nut shell, as enumerated in WP(C) No. 659 of 2025, being taken as lead case, is set here-in-below for convenience:

[4] It is the case of the petitioner that the petitioner is a Medical Officer in the Grade IV of Tripura Health Service. The petitioner joined service on 01.07.2016. The instant writ petition is for directing the respondents to grant study leave to the petitioner for 2 years being the sponsored category candidate of the State Govt. for pursuing PG Diploma Course under NBEMS at IGM Hospital Agartala and modify the Notification, dated, 13.06.2024, issued by the Under Secretary to the Government of Tripura, Health and Family Welfare Department, wherein 2 years extraordinary leave (without leave) has been sanctioned to the petitioner w.e.f. 10.10.2023 to 09.10.2025, instead of study leave. Hence the instant writ Petition.

[5] Hence, the petitioner by filing the instant writ petition under Article 226 of the Constitution of India has prayed for following reliefs:

- i. *Issue Rule upon the Respondents to show cause as to why a writ in the nature of Mandamus and/or order/orders, direction/ directions of like nature shall not be issued whereby directing the Respondents grant study leave to the Petitioner for 2 years being the sponsored category candidate of the State Govt. for pursuing PG Diploma Course under NBEMS at IGM Hospital, Agartala.*
- ii. *Issue Rule upon the Respondents to show cause as to why a writ in the nature of Mandamus and/or order/orders, direction/ directions of like nature shall not be issued whereby directing the Respondents to Modify the Notification, dated, 13.06.2024, issued by the Under Secretary to the Government of Tripura, Health and Family Welfare Department, wherein 2 years extraordinary leave (without pay) has been sanctioned to the Petitioner w.e.f. 10.10.2023 to 09.10.2025, instead of study leave.*
- iii. *Call for the records pertaining to the instant writ petition from the custody of the Respondents and make the Rules absolute after hearing the both sides.*
- iv. *Make the Rules absolute after hearing the Parties*
And
- v. *Pass any other order/orders as this Hon'ble High Court may consider fit and proper*

[6] On similar background of facts, however, different writ petitioners have filed the connected writ petitions referred to in the cause title here-in-above urging this court to direct the respondents to grant them study leave which are given below in a tabular form.

Case No.	Relief(s) sought for
WP(C) 660	i. Issue Rule upon the Respondents to show cause as to why a writ in the nature of Mandamus and/or order/orders, direction/ directions of like nature shall not be issued whereby directing the Respondents grant study leave to the Petitioner for 2 years being the sponsored category candidate of the State Govt. for pursuing PG Diploma Course under NBEMS at IGM Hospital, Agartala. ii. Issue Rule upon the Respondents to show cause as to why a writ in the nature of Mandamus and/or order/orders, direction/ directions of like nature shall not be issued whereby directing the Respondents to Modify the Notification, dated, 13.06.2024, issued by the Under Secretary to the Government of Tripura, Health and Family Welfare Department, wherein 2 years extraordinary leave (without pay) has been sanctioned to the Petitioner w.e.f. 11.10.2023 to 10.10.2025, instead of study leave. iii. Call for the records pertaining to the instant writ petition from the custody of the Respondents and make the Rules absolute after hearing the both sides. iv. iv. Make the Rules absolute after hearing the Parties
WP(C) 667	i. Issue Rule upon the Respondents to show cause as to why a writ in the nature of Mandamus and/or order/orders, direction/ directions of like nature shall not be issued whereby directing the Respondents grant study leave to the Petitioner for 2 years being the sponsored category candidate of the State Govt. for pursuing PG Diploma Course under NBEMS at IGM Hospital, Agartala. ii. Issue Rule upon the Respondents to show cause as to why a writ in the nature of Mandamus and/or order/orders, direction/ directions of like nature shall not be issued whereby directing the Respondents to Modify the Notification, dated, 13.06.2024, issued by the Under Secretary to the Government of Tripura, Health and Family Welfare Department, wherein 2 years extraordinary leave (without pay) has been sanctioned to the Petitioner w.e.f. 10.10.2023 to 09.10.2025, instead of study leave. iii. Call for the records pertaining to the instant writ petition from the custody of the Respondents and make the Rules absolute after hearing the both sides. iv. iv. Make the Rules absolute after hearing the Parties
WP(C) 683	i. Issue Rule upon the Respondents to show cause as to why a writ in the nature of Mandamus and/or order/orders, direction/ directions of like nature shall not be issued whereby directing the Respondents grant study leave to the Petitioner for 2 years being the sponsored category candidate of the State Govt. for pursuing PG Diploma Course under NBEMS at IGM Hospital, Agartala. ii. Issue Rule upon the Respondents to show cause as to why a writ in the nature of Mandamus and/or order/orders, direction/ directions of like nature shall not be issued whereby directing the Respondents to Modify the Notification, dated, 13.06.2024, issued by the Under Secretary to the Government of Tripura, Health and Family Welfare Department, wherein 2 years extraordinary leave (without pay) has been sanctioned to the Petitioner w.e.f. 10.10.2023 to 09.10.2025, instead of study leave. iii. Call for the records pertaining to the instant writ petition from the custody of the Respondents and make the Rules absolute after hearing the both sides. iv. Make the Rules absolute after hearing the Parties And v. Pass any other order/orders as this Hon'ble High Court may consider fit and proper

[7] It is seen from the record that representations dated 24.07.2024 were made to the respondents by the petitioners herein but it is also apparent from the record that no action has yet been taken on the said representations compelling the petitioner to approach before this court for seeking relief.

[8] 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 representations dated 24.07.2024 in accordance with law within a period of three months from the date of receipt of copy of this order.

[9] With the above observation and direction, the bunch of writ petitions stand disposed of. As a sequel, stay, if any, stands vacated. Pending application(s), if any, also stands closed.

JUDGE



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