

**HIGH COURT OF TRIPURA
AGARTALA
CONT.CAS(C) NO.78 OF 2025**

Sri Bijoy Kumar Sarkar,
son of Sri Makhan Chandra Sarkar,
resident of Rajarbag (Near Arunachal Sangha Road),
PO: Rajarbag-799114, PS: Radhakishorepur
District: Gomati, Tripura.

.....Petitioner(s)

Vs.

1. Mr. Raval Hamendra Kumar, the Chief Executive,
Officer-representing Tripura Tribal Areas,
Autonomous District Council (TTAADC),
TTAADC, MA Building, Khumulwng, Jirania, PO: Khumulwng,
District: West Tripura, Tripura.
2. Mr. George Nirmal Debbarma,
Executive alias Principal Officer (Education),
TTAADC, MA Building. Khumulwng, Jirania,
PO: Khumulwng, West Tripura.
3. Mr. Jiban Kishore Ghosh,
Inspector of Schools,
Head of Office & DDO)
TTAADC, Kanchanapur, PO: Kanchanpur, District: North Tripura,
Tripura

.....Respondent(s)

Present:

For the Petitioner(s) : Mr. D.K. Daschawdhury, Advocate.

For the Respondent(s) : None.

HON'BLE JUSTICE DR. T. AMARNATH GOUD
Order

03.12.2025

1. This present case came up today at the motion stage. Heard
Mr. D.K. Daschawdhury, learned counsel appearing for the petitioner.

2. This present contempt case has been drawn up seeking initiation of proceedings against the respondents–contemnors for willful and deliberate disobedience of the order dated 14.02.2025 passed in WP(C) No. 75 of 2025 by this Court. The operative portion of the impugned order is reproduced hereunder:-

“ xxxxxx

[4] After perusal of the record, it is seen that the petitioner herein submitted representation dated 06.12.2024 and subsequent thereto another representation dated 22.01.2025 addressed to the concerned respondent, ventilating the hardships but till date the same is pending.

[5] In view of such circumstances, without expressing any opinion on the merits of this case, this writ petition is disposed of, directing the respondent(s) to consider the case of the petitioner in light of the representations dated 06.12.2024 and 22.01.2025 in accordance with law within a period of 03(three) months from the date of receipt of the copy of this order.

xxxxxx.”

3. Mr. D.K. Daschawdhury, learned counsel appearing for the petitioner, submits that out of the two prayers made by the petitioner, one has already been satisfied by the contemnors, while the remaining claim is still pending and no response has been furnished by the contemnor-respondents.

4. Heard and perused the evidence on record.

5. On perusal of the record, it appears that the petitioner has not placed any material to show the date on which the impugned order dated 14.02.2025 was communicated to the respondents. In absence of proof of service or acknowledgment, this Court cannot record a finding that the respondents have willfully disobeyed the order. Moreover, the learned counsel for the petitioner himself submits that one of the prayers has already been complied with by the respondents and only the remaining claim is yet to be decided. Non-consideration of the remaining claim, in such circumstances, gives rise to a fresh cause of action, particularly when the original order of this Court only directed the respondents to consider the petitioner’s representations within a period of three months. The alleged non-decision of

the subsequent claim, therefore, cannot constitute a case of willful disobedience warranting contempt jurisdiction.

6. With the above observation, this present contempt petition stands dismissed. As a sequel, stay if any stands disposed of. Pending application(s), if any also stands closed.

DR. T. AMARNATH GOUD, J

Suhanjit

SABYASACHI GHOSH

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