

**HIGH COURT OF TRIPURA
AGARTALA**

I.A. 8/2025

In WP(Crl) 3/2014 (D/O)

- 1. Sri Ajit Kumar Nath**, S/O late Kumud Chandra Nath, resident of Subratanagar, Kanchanpur, P.O.+P.S. Kanchanpur, North Tripura, PIN-799270;
- 2. Sri Baidyanath Saha Banik**, S/O late Banamali Saha Banik, resident of Dharmanagar Rajbari, P.O. Rajbari, P.S. Dharmanagar, Bazar Road, North Tripura;
- 3. Sri Gouranga Nath**, S/O-Lt. Gokul Chandra Nath, resident of Ward No 2, near Bhagabannagar Madhyamik School, Bhagawannagar, P.O & P.S - Kailashahar, District - Unakoti Tripura, PIN 799279,
- 4. Sri Biplob Deb**, S/O-Lt. Bakul Deb, resident of Village & P.O - South Hurua, P.S - Dharmanagar, District - North Tripura,
- 5. Sri Tapash Mitra**, S/O-Lt. Amita Mitra, resident of Halahali Bazar, Kamalpur, District - Dhalai Tripura, PIN 799286,
- 6. Sri Pradip Nath @ Bikram**, S/O-Lt. Prasunna Kumar Nath, resident of Village - Subratanagar, Kanchanpur, P.O & P.S - Kanchanpur, North Tripura, PIN 799270
- 7. Sri Sona Charan Nath**, S/O-Lt. Hari Charan Nath, resident of Viilage-Subhash Nagar, P.O & P.S - Kanchanpur, District -North Tripura

The Applicants

And

In the matter of:

- 1. Smt. Dipti Das Majumder**, W/O-Sri Arjun Chandra Majumder, resident of Office Lane, Koylarmath, P.O & P.S-R.K Pur, District - Gomati Tripura
- 2. Sri Arup Kumar Saha**, S/O-Lt. Amiya Bhusan Saha, Central Road, Udaipur, P.O & P.S - R.K Pur, District - Gomati Tripura
- 3. Sri Gopendra Sharma**, S/O-Lt. Gopal Sharma, R/O-Village - Kulai, Thakurpalli, P.S-Ambassa, District - Dhalai Tripura, PIN 799204

..Writ Petitioners

-:Versus:-

- 1. The State of Tripura**, represented by the Chief Secretary, Govt. of Tripura, having its office at State Secretariat, Capital Complex, Agartala, West Tripura, PIN 799006
- 2. The Secretary**, Department of Home, Govt. of Tripura, having its office at State Secretariat, Capital Complex, Agartala, West Tripura - 799006
- 3. Director General of Police**, Govt. of Tripura Police Headquarter, Akahura Road, Agartala, West Tripura - 799001
- 4. Director**, Small Savings, Group Insurance & Institutional Finance, Govt. of Tripura, Agartala, West Tripura, PIN 799001
- 5. Inspector**, Small Savings, Group Insurance & Institutional Finance Govt. of Tripura, Agartala, West Tripura, PIN 799001

- 6. Union of India**, Service through the Secretary, Govt. of India, Ministry of Rural Development, having its office at Krishi Bhavan, Dr. Rajendra Prasad Road, New Delhi 110001
- 7. Central Bureau of Investigation (CBI)**, having its office at Plot No.5.B, CGO Complex, Lodhi Road, New Delhi - 110003
- 8. The Collector**, West Tripura District, Govt. of Tripura, Agartala, P.O - Agartala, 799001, District - West Tripura
- 9. The Director of Institutional Finance.**
- 10. The Secretary**, Ministry of Personnel, Public Grievances and Pension, DOPT, North Block, New Delhi
- 11. Unique Identification Authority of India**, represented by Director, Regional Office, Block V, 1st Floor, Housefed complex, Dispur, Guwahati

...Respondents

For Appellant(s)	:	Mr. P. Roy Barman, Sr. Advocate Mr. K. Nath, Advocate
For Respondent(s)	:	Mr. S. Chakraborty, Advocate General Mr. Kohinoor N. Bhattacharjee, GA Mr. R. Saha, Additional PP

BEFORE
HON'BLE JUSTICE DR. T. AMARNATH GOUD
HON'BLE MR. JUSTICE S. DATTA PURKAYASTHA

Order

07/01/2026

Heard learned counsel appearing for the parties.

The writ petition being WP(Crl.) 3 of 2014 was disposed of 03.09.2025, and thereafter due to change in circumstances and in view of the development in the investigation, the Investigating Officer found the following persons, who are petitioners in this Interlocutory Application, are no longer accused persons, but they are treated as witnesses by the prosecution and, the same is reflected in the charge-sheet and also in the Order dated 08.05.2025 of the learned trial Court.

In view of the same, the petitioners are before this Court seeking to modify the Order dated 19.01.2023 passed in WP(Crl) 3 of 2014 since later on a fresh cause of action has arisen which is under challenge in this application wherein the Secretary, Government of Tripura, Finance Department, has issued a gazette notification on 21.07.2025 arraying the

petitioners herein as accused persons, in fact it is otherwise, as they were shown as witnesses by the Investigating Officer.

In view of this gazette notification, the petitioners being aggrieved filed the present application seeking interference of this Court.

This court observes that the petitioner could have come with a fresh writ petition challenging the said gazette notification in the light of the charge-sheet and the Order of the trial Court, which was in their favour, and deciding fresh proceeding in the matter which was already disposed of is not maintainable.

At this juncture, learned counsel for the petitioners, Mr. P. Roy Barman, submits before this Court that he did file fresh writ petition questioning the gazette notification but, the Registry of this Court declined to register the same and list it before the Court and, accordingly, he came up before this court by this application.

This court finds that the petitioners need to challenge the gazette notification, if aggrieved, by way of separate writ petition and not by an Interlocutory Application in the matter which is already disposed of.

With the above observation, the instant application stands closed with liberty reserved with the petitioners to file a fresh writ petition. The matter needs examination. The petitioners are also at liberty to assail the gazette notification, if so aggrieved.

In the event if there is no Standard Operating Procedure (SOP, for short) for Tripura State, the Government shall look into it and frame SOP to resolve similar issues in future.

S.DATTA PURKAYASTHA,J

DR.T. AMARNATH GOUD,J

SAIKAT KAR

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