

HIGH COURT OF TRIPURA
AGARTALA
WP(C) NO.49 OF 2026

1. Prasanta Saha Age-43 year, S/o- Sri Indrajit Saha
R/o-Near Barpathari, Bazar, Subdivision- Belonia,
District- South Tripura, Pin-799155.

2. Tapas Sarkar Age-49 years. C/o-Sri.Narayan Sarkar,
R/o- South Sri Rampur, District-South Tripura, Belonia,
Pin-799507.

.....Petitioner(s).

Vs.

1.The State of Tripura,
To be represented by the Principal Secretary to the Govt. of Tripura, Home
Department, Civil Secretariat Building, New Capital Complex, Lichu Bagan,
P.S. NCC, Agartala, West Tripura, Pin 799010.

2. The Home Secretary,
Government of Tripura, Civil Secretariat Building, New Capital Complex,
Lichu Bagan, P.S- New Capital Complex (NCC), Agartala, District- West
Tripura, Pin-799010.

3. The Director General of Police, Government of Tripura,
Police Headquarters (in short, PHQ), Agartala, Tripura (W),
Fire Service Chowmuhani, P.O. Agartala, P.S. West Agartala, District: West
Tripura, PIN: 799001.

4. The Superintendent of Police (Communication) Tripura, Government of
Tripura, CHQ-Arundhutinagar, Agartala, P.O. A.D. Nagar, P.S. West
Agartala, District: West Tripura, Pin-799003

.....Respondent(s)

Present:

For the Petitioner(s) : Mr. P. Roy Barman, Sr. Advocate.
Mr. S. Bhattacharjee, Advocate.
Mr. K. Nath, Advocate.
Ms. S. Deb Barman, Advocate.
Mr. D. Paul, Advocate.
Ms. P. Saha, Advocate.

For the Respondent(s) : Mr. Kohinoor N. Bhattacharjya, G.A.
Ms. P. Chakraborty, Advocate.

HON'BLE JUSTICE DR. T. AMARNATH GOUD
Order

29.01.2026

1. Heard Ms. P. Saha, learned counsel appearing for the petitioners, as well as Ms. P. Chakraborty, learned counsel appearing for the respondents.

2. The brief facts of the case are that the petitioners, prior to joining the Tripura Police Communication Organization, had served under the BSF. After submitting their technical resignation, the petitioners joined under the respondents and thereby became entitled to pay protection and counting of past service for MACP-I benefits. The petitioners were initially granted pay protection. However, subsequent to the re-fixation of their pay by the BSF vide orders dated 17.04.2021 and 04.03.2020, the petitioners have not been granted pay protection. Further, counting their past service under the BSF, the petitioners have also not been extended the benefit of MACP-I. Being aggrieved thereby, the petitioners have filed the present writ petition seeking the following reliefs:-

“i) Issue Rule upon the Respondents to show cause as to why a writ in the nature of mandamus and/or appropriate order(s) and/or direction(s) of like nature should not be issued, directing the Respondents to declare that the resignation tendered by the Petitioners from the Border Security Force (BSF) was a technical resignation and that their entire past service is liable to be counted for all service benefits.

ii) Issue Rule upon the Respondents to show cause as to why a writ in the nature of Mandamus and/or order/orders and/or direction/directions of like nature shall not be issued whereby directing the refix the pay of the Petitioners in the post of Wireless Operator (ASI), Tripura Police Communication Organization, by giving full effect to the BSF refixation orders dated 04.03.2020 and 17.04.2021 respectively.

iii) Issue Rule upon the Respondents to show cause as to why a writ in the nature of Mandamus and/or order/orders and/or direction/directions of like nature shall not be issued whereby directing the respondents to grant MACP benefits to the Petitioners by counting their combined qualifying service under BSF and Tripura Police, with all consequential financial benefits

iv) Issue Rule upon the Respondents to show cause as to why a writ in the nature of Mandamus and/or order/orders and/or direction/directions of like nature shall not be issued whereby directing the to release arrears of pay and allowances arising out of such refixation and MACP benefits, with interest;

v) Make the rules absolute.

vi) Call for records pertaining to the instant Writ Petition from the custody of the Respondents.

vii) Pass any further Order/Orders as this Hon'ble High Court considered fit and proper."

3. It is seen from the record that the petitioners submitted a representation dated 05.09.2021 before the respondents and thereafter issued a legal notice dated 23.11.2025 to the respondents agitating their grievance; however, the same is pending till date.

4. In view of the above circumstances, without expressing any opinion on the merits of the case, the present writ petition is disposed of with a direction to the respondents to consider the above-mentioned requests of the petitioners in accordance with law, within a period of three months from the date of receipt of a copy of this order and to communicate the decision to the petitioners herein.

5. With the above observation and direction, the present writ petition is disposed of. As a sequel, interim order(s), if any, stand vacated. Pending application(s), if any, also stand closed.

DR. T. AMARNATH GOUD, J

Suhanjit

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