

**HIGH COURT OF TRIPURA
AGARTALA**

WP(C) No.39 of 2025

Along with

WP(C) No.485 of 2025

IN WP(C) No.39 of 2025

Sri Prasenjit Deb,

Son of Late Prabir Chandra Deb,
Resident of village- Madhya Ganki,
P.O.:- Ganki, P.S.:-Khowai,
Sub-Division & District-Khowai, Tripura,
PIN-799201, aged about 35 years.

.... Petitioner(s).

Versus

1. The State of Tripura,

Represented by the Secretary,
Labour Department, Government of Tripura,
Having his office at New Secretariat Building,
PO- Secretariat, PS- New Capital Complex,
District-West Tripura, PIN-799010.

2. The Secretary,

Labour Department,
Government of Tripura,
Having his office at Secretariat Building,
PO-Secretariat, PS-New Capital Complex,
District-West Tripura, PIN-799010.

3. The Principal Secretary,

GA (P&T) Department,
Government of Tripura,
Having his office at Secretariat Building,
PO-Kunjaban, PS-New Capital Complex,
District-West Tripura,
PIN-799010.

4. The Secretary,

GA(P&T) Department,
Government of Tripura,
Having his office at Secretariat Building,
PO-Kunjaban, PS-New Capital Complex,
District-West Tripura,
PIN-799010.

5. The Joint Recruitment Board of Tripura (JRBT),

Employment Services & Manpower Planning, Department,
Government of Tripura,
Represented by its Chairman,
Having his office at Office Lane,
PO-Agartala, PS-West Agartala,
District-West Tripura, PIN-799001.

6. The Member Secretary,

Joint Recruitment Board of Tripura (JRBT),
Employment Services & Manpower Planning,
Department of Labour,
Government of Tripura,
Having his office at Office Lane,
PO-Agartala, PS-West Agartala,
District-West Tripura, PIN-799001.

7. The Controller of Examination,

Joint Recruitment Board of Tripura (JRBT),
Employment Services & Manpower Planning,
Department of Labour,
Government of Tripura,
Having his office at Shram Bhavan,
Office Lane, PO-Agartala,
PS- West Agartala, District-West Tripura,
PIN-799001.

8. The Director of Directorate of Employment Services & Manpower Planning,

Government of Tripura,
Having his office at Shram Bhavan, Office Lane,
PO-Agartala, PS-West Agartala,
District-West Tripura,
PIN-799001.

9. The Secretary,

Public Works Department (DWS),
Government of Tripura,
Having his office at Secretariat Building,
PO-Kunjaban, PS-New Capital Complex,
District- West Tripura,
PIN-799006.

10. The Secretary,

Public Works Department (WR),
Government of Tripura,
Having his office at Pandit Nehru Complex Road,
Gorkha Basti, PO- Kunjaban,
PS-New Capital Complex,
District-West Tripura, PIN-799006.

.....Respondent(s).

IN WP(C) No.485 of 2025

Sri Rupak Debnath,

Son of Sri Sribash Debnath,
Resident of village- West Sonatala,
P.O.- Ajagartila, P.S.- Khowai,
District- Khowai, State-Tripura,
PIN-799201, aged about 31 years.

.... Petitioner(s).

Versus

- 1. The State of Tripura,**
Represented by the Secretary,
Department of Labour,
Government of Tripura,
Having his office at New Secretariat Complex,
PO- Secretariat, PS-New Capital Complex,
District- West Tripura, PIN-799010.
- 2. The Secretary,**
Department of Labour,
Government of Tripura,
Having his office at New Secretariat Complex,
PO-Secretariat, PS-New Capital Complex,
District-West Tripura, PIN-799010.
- 3. The Principal Secretary,**
GA (P&T) Department,
Government of Tripura,
Having his office at Secretariat Complex,
PO-Secretariat, PS-New Capital Complex,
District-West Tripura,
PIN-799010.
- 4. The Secretary,**
GA(P&T) Department,
Government of Tripura,
Having his office at New Secretariat Complex,
PO-Secretariat, PS-New Capital Complex,
District-West Tripura,
PIN-799010.
- 5. The Joint Recruitment Board of Tripura (JRBT),**
Directorate of Employment Services & Manpower Planning,
Government of Tripura,
Represented by its Chairman,
Having his office at Sharama Bhawan,
Office Lane, PO-Agartala,
PS-West Agartala, District- West Tripura,
PIN-799001.
- 6. The Member Secretary,**
Joint Recruitment Board of Tripura (JRBT),
Directorate of Employment Services & Manpower Planning,
Government of Tripura,
Having his office at Sharama Bhawan,
Office Lane, PO-Agartala,
PS-West Agartala, District-West Tripura,
PIN-799001.
- 7. The Controller of Examination,**
Joint Recruitment Board of Tripura (JRBT),
Directorate of Employment Services & Manpower Planning,
Government of Tripura,
Having his office at Shrama Bhavan, Office Lane,
PO-Agartala, PS-West Agartala,
District-West Tripura, PIN-799001.
- 8. The Director,**
Directorate of Employment Services & Manpower Planning,

Government of Tripura,
Having his office at Shrama Bhavan,
Office Lane, PO-Agartala, PS-West Agartala,
District-West Tripura, PIN-799001.

9. The Secretary,

Public Works Department (DWS),
Government of Tripura,
Having his office at New Secretariat Complex,
PO-Secretariat, PS-New Capital Complex,
District-West Tripura, PIN-799010.

10. The Secretary,

Public Works Department (WR),
Government of Tripura,
Having his office at New Secretariat Complex,
PO-Secretariat, PS-New Capital Complex,
District-West Tripura, PIN-799010.

.....Respondent(s).

For Petitioner(s)	:	Mr. Dulal Chandra Saha, Adv.
For Respondent(s)	:	Mr. Mangal Debbarma, Addl. G.A.
Date of Hearing & Delivery of Judgment and Order	:	17.02.2026
Whether fit for Reporting	:	NO

HON'BLE MR. JUSTICE BISWAJIT PALIT

Judgment & Order (Oral)

Heard Learned Counsel, Mr. D. C. Saha appearing
on behalf of the petitioners in both the writ petitions and also
heard Learned Addl. G.A., Mr. M. Debbarma appearing on
behalf of the State-respondents.

02. In WP(C) No.39 of 2025 the petitioner has prayed
for the following reliefs:-

- (i) **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, for directing them, to transmit the records, lying with them, for rendering the impugned Notification dated 29.11.2022 (Annexure-12 supra), Notice dated 30.11.2022 (Annexure-11 supra), Notice**

dated 13.09.2023 (Annexure-13 supra) & the Notification dated 13.09.2023 (Annexure-14 supra);

(ii) 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 there-of, shall not be issued, for mandating/directing them, to revoke/rescind or quashed the impugned Notification dated 29.11.2022(Annexure-12 supra), Notice dated 30.11.2022 (Annexure-11 supra), Notice dated 13.09.2023 (Annexure-13 supra) & the Notification dated 13.09.2023 (Annexure-14 supra), and thereupon, for mandating/directing them, to forthwith draw up a separate Select List for the posts of Junior Operator (Pump), Group-C, Technical & Junior Multi Tasking Operator (Un-common), Group-C, Technical;

(iii) 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 there-of, shall not be issued, for mandating/directing the Respondent, to appoint the Petitioner in the 85 nos. U.R. Category vacant posts of Junior Operator (Pump), Group-C, Technical being the Petitioner is qualified for the said Post;

(iv) 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 there-of, shall not be issued, for mandating/directing the Respondent, to appoint the Petitioner in the 102 nos. U.R. Category vacant posts of Junior Multi Tasking Operator (Un-common) Group-C, Technical, being the Petitioner is qualified for the said Post;

(v) In the Ad-Interim, and thereafter, on hearing the parties, an Order, in terms of Relief (iii) supra;

(vi) Call for the records appertaining to this petition;

(vii) After hearing the parties, be pleased to make the Rule Absolute in terms of i. to iv. above;

(viii) Any other Relief(s) as to this Hon'ble High Court may deem fit and proper;

Also in WP(C) No.485 of 2025 the petitioner has filed the writ petition for seeking the following reliefs:-

(i) Issue Rule, calling upon the respondents and each one of them show cause as to why a Writ of Certiorari and/or in the nature thereof, shall not be issued, for directing them, to transmit the records,

lying with them, for rendering the impugned Notification dated 29.11.2022 (Annexure-12 supra), Notice dated 30.11.2022 (Annexure-11 supra), Notice dated 13.09.2023 (Annexure-13 supra) & the Notification dated 13.09.2023 (Annexure-14 supra);

(ii) 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, for mandating/directing them, to revoke/rescind or quashed the impugned Notification dated 29.11.2022(Annexure-12 supra), Notice dated 30.11.2022 (Annexure-11 supra), Notice dated 13.09.2023 (Annexure-13 supra) & the Notification dated 13.09.2023 (Annexure-14 supra), and thereupon, for mandating/directing them, to forthwith draw up a separate Select List for the posts of Junior Operator (Pump), Group-C, Technical & Junior Multi Tasking Operator (Un-common), Group-C, Technical;

(iii) 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 there of, shall not be issued, for mandating/directing the Respondent, to appoint the Petitioner in the 85 nos. U.R. Vacant posts of Junior Operator (Pump), Group-C, Technical being qualified for the said Post;

(iv) 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 there of, shall not be issued, for mandating/directing the Respondent, to appoint the Petitioner in the 102 nos. U.R. posts of Junior Multi Tasking Operator (Un-common) Group-C, Technical, of being qualified for the said Post;

(v) In the Ad-Interim, and thereafter, on hearing the parties, an Order, in terms of Relief (iv) supra;

(vi) Call for the records appertaining to this petition;

(vii) After hearing the parties, be pleased to make the Rule Absolute in terms of i. to iv. above;

(viii) Any other Relief(s) as to this Hon'ble High Court may deem fit and proper;

03. At the time of hearing, Learned Counsel, Mr. D. C. Saha appearing on behalf of the petitioners in both the writ petitions submitted that both the cases are covered by the judgments passed by a coordinate Bench of this High Court in

WP(C) No.264 of 2024 dated 12.08.2025 and also the judgment dated 20.08.2025 passed by the same coordinate Bench in WP(C) No.77 of 2025.

04. Learned Counsel representing the petitioner in WP(C) No.485 of 2025 submitted that the JRBT issued one Advertisement vide No.1/2020 dated 27.11.2020 for filling up of 1500 posts of LDC. Thereafter by another revised Notification dated 12.02.2021 JRBT added more 910 various posts including the posts of Junior Operator (Pump) and Junior Multi Tasking Operator (Un-Common) and increased the total nos. posts to 2410. The posts of LDC, Agriculture Assistant (except TAFS Grade-III) and Agriculture Assistant (TAFS Grade-III) are non-Technical posts but the posts of Junior Operator (Pump) and Junior Multi Tasking Operator (Un-common) are Technical posts. The petitioner on 11.03.2021 applied against the said revised Notification dated 12.02.2021 issued by JRBT having the required qualification for the posts of Junior Operator (Pump) and Junior Multi Tasking Operator (Un-common) which are Technical posts. Thereafter, written test was held on 22.08.2021. On 30.11.2022 a common Provisionally Qualified Candidates List for all the posts for Non-technical and Technical was issued by Notification dated 12.02.2021. After that all persons whose name was mentioned in the Provisionally Qualified Candidate List were called for Interview. On 13.09.2023 a common Final Merit List of Group-C candidate for Non-technical and Technical posts were

published by JRBT. The petitioner after scrutiny of the Final Merit List of Group-C found that due to non-compliance of Serial No.25 of the Prospectus-Cum-Instruction issued by JRBT his name was not considered. The Additional Secretary, General Administration (Personal & Training) Department, Government of Tripura issued a Notification on 05.06.2018 whereby a new Recruitment Policy for the establishment, under Administration Control of Government of Tripura was framed. After that the petitioner on 12.10.2023 made an RTI application for providing information and the SPIO on 03.11.2023 in reply informed that the petitioner scored 69 marks out of 170 i.e. 40.58% which according to the petitioner was more than the required marks as per advertisement. The SPIO further informed that cut-off marks was applied at the time of written examination only as per point no.8 of the "General Instructions" to the candidates vide Notification dated 12.02.2021.

So, according to Learned Counsel for the petitioner that the JRBT did not follow the Prospectus-Cum-Instructions before preparing the List of the Provisionally Qualified Candidates and Final Merit List of Group-C posts jointly for Non-Technical and Technical Posts. Hence, this writ petition was filed by the petitioner.

05. In WP(C) No.39 of 2025 it was also the case of the petitioner that the JRBT issued an Advertisement vide No.01/2020 dated 27.11.2020 for filling up of 1500 Nos. of

Lower Division Clerk (Group-C), Non-Gazetted (LDC for short). By the revised Notification dated 12.02.2021 more 910 posts, namely the posts of Agricultural Assistant (except TAFS Grade-III), Agricultural Assistant (TAFS Grade-III), Junior Operator (Pump), Group-C, Technical & Junior Multi-Tasking Operator (Un-common), Group-C, Technical were added and it increase to total 2410 posts. The petitioner accordingly on 26.02.2021 applied for the posts of Junior Operator (Pump), Group-C, Technical & Junior Multi-Tasking Operator (Un-common), Group-C, Technical commensurate to his education & Professional qualification. In furtherance of the said selection process, written examination was held on 22.08.2021. On 30.11.2022 a Common Provisionally Qualified candidates list was drawn up for all the posts as advertised on 12.02.2021 for Non-Technical and Technical. The persons, whose names figured in the list of Provisionally Qualified candidates list dated 30.11.2022 the roll No., assigned to the petitioner did not find place thereat. On 13.09.2023 the Common Final Merit List of Group-C candidates for Non-Technical and Technical, based on merit & performance of the candidates was published by JRBT. The petitioner after scrutiny of the said Provisionally Qualified Candidates found that due to non comply of the Serial No.25 mentioned in the Prospectus-cum-Instruction the JRBT authority has adopted pick and choose method. Thereafter, the Additional Secretary, General Administration Department (Personnel & Training), Government of Tripura issued a

Notification bearing dated 05.06.2018 whereby a new Recruitment Policy for all establishments, under the Administrative control of Government of Tripura was framed. Subsequently, the Government of Tripura issued a Notification bearing reference dated 29.10.2020 whereby no modulation/change has been made to Paragraph-1. 1 of the previous Notification dated 05.06.2018. The petitioner had tendered a RTI application dated 20.11.2023 for providing him information, pertaining to the marks he score in the written examination and secondly the petitioner also asked for the information about the cut-off marks for the entire category of candidates. The SPIO on 11.12.2023 in reply informed that the petitioner has scored 66 marks out of total 170 marks and regarding the second question the SPIO informed that the cut-off marks were applied at the time of written examination only as per Point No.8 of the "General Instructions" to candidates vide Advertisement dated 12.02.2021. So it was crystal clear that Serial No.25 of the "Prospectus-cum-Instruction" was not followed by the JRBT before the preparation of the Provisional and final merit list. Hence, this writ petition was also filed by the petitioner.

06. Thereafter, Learned Counsel for the petitioners in both the writ petitions submitted that both the subject matter of both the present cases are covered by the judgments passed by a coordinate Bench of this High Court in WP(C) No.264 of

2024 dated 12.08.2025 and judgment dated 20.08.2025 in WP(C) No.77 of 2025.

07. It was further submitted by Learned Counsel appearing for the petitioners that challenging the judgment in both the writ petitions the State of Tripura preferred appeal which were numbered as WA No.112 of 2025 and WA No.113 of 2025. But on 03.02.2026 the State has withdrawn both the appeals and accordingly the appeals were dismissed as withdrawn. So, Learned Counsel appearing for the petitioners in both the cases submitted that since the cases of both the petitioners are covered by the said judgments so similar directions may be given in both the aforesaid cases.

In both the writ petitions the State-respondents have contested by filing their counter-affidavit.

08. However, Learned Addl. G. A., Mr. M. Debbarma appearing on behalf of the State-respondents submitted that in pursuance of the directions of the coordinate Bench of this High Court in WP(C) No.264 of 2024 and WP(C) No.77 of 2025, the respondent-authority have taken necessary steps to complete the process of filling up the vacant posts of LDC (Group-C), Junior Operator (Pump), Junior Multi-Tasking Operator (Un-common), Agriculture Assistant (TAFS Grade-III), so similar directions may also be given in this case.

09. It was fairly submitted by Learned Addl. G.A., Mr. M. Debbarma appearing for the State-respondents that although challenging the judgment the State has preferred

appeal but on instructions the appeals were withdrawn and the respondent-authority has decided to take necessary steps to fill up the vacant posts.

10. I have also perused both the judgments submitted on behalf of the petitioners and also perused both the writ petitions and the connected documents of facts and the counter-affidavits filed by the respondents and it appears that both the writ petitions are covered by the judgments of coordinate Bench as mentioned above in WP(C) No.264 of 2024 and WP(C) No.77 of 2025 and facts of these cases are similarly situated with the facts of these cases. In ***Sri Kinkar Bhowmik Vs. The State of Tripura and Others*** numbered as WP(C) No.264 of 2024 dated 12.08.2025 in Para No.27 of coordinate Bench of this High Court observed as under:-

“[27] Consequently, the writ petition is allowed. The respondent no.4 to 7 are directed to take up again the process of filling up of rest vacant posts of LDC, Junior Operator (Pump), Junior Multitasking Operator(Un-common), Agricultural Assistant (TAFS Grade III) where vacancies still remain, and in that process, firstly, the candidates who have already scored the cut off marks i.e. qualifying marks or above in the written examination, shall be called for document verification and during that stage the respondent Nos.4 to 7 will ascertain the posts against which they actually applied for. Thereafter, separate lists will be prepared post-wise at the ratio of 1:3 on the basis of their merit position in the written examination and the persons who comes under the zone of consideration for calling for interview, will only be called for such interview and final list of selected candidates will be prepared and published thereafter. Simultaneously, the respondent No.4 to 7 shall also re-visit the vacancy position meant for reserved category of candidates in respect of above said posts under advertisements, in the light of the discussions made in paragraph nos.21 to 24 above. It is also clarified that the candidates who despite calling for interview in the earlier phase of the selection process, remained unsuccessful, will also be

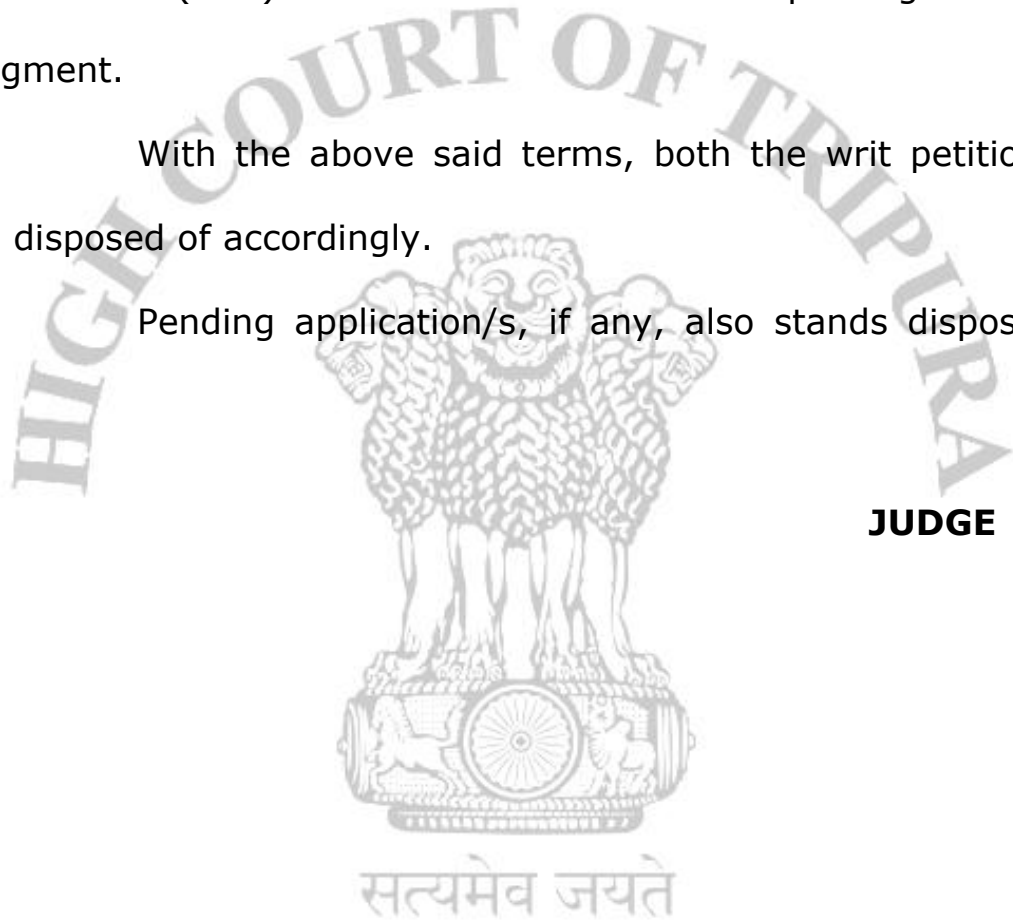
called for interview again, if their names find place in the list prepared as per said ratio of 1:3."

Accordingly, in the light of said direction, in **Kinkar Bhowmik (supra)** both the present writ petitions are disposed of with direction to the respondent Nos.4 to 7 to act in accordance with the directions mentioned in aforementioned Para No.27 of the judgment of **Kinkar Bhowmik (supra)** within a period of 4 (four) months from the date of passing of this judgment.

With the above said terms, both the writ petitions are disposed of accordingly.

Pending application/s, if any, also stands disposed of.

JUDGE



Amrita

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