



**HIGH COURT OF TRIPURA
AGARTALA
WP(C) No. 825 of 2024**

Sri Pinku Paul,
Age-33 years, S/o- Lt. Pramode Ranjan Paul,
R/o- Kumaritilla, P.O- Abhoynagar,
P.S-NCC, Agartala, District-West Tripura,
PIN-799005.

----- Petitioner(s)

Versus

- 1. The State of Tripura,**
To be represented by the Secretary, Department of Agriculture and Farmers Welfare, Govt. of Tripura, New Secretariat Complex, New Capital Complex, Kunjaban, Agartala, West Tripura, PIN-799010.

2. The Director of Agriculture,
Govt. of Tripura, Agartala, West Tripura.

3. Union of India,
to be represented by the Secretary, Ministry of Science & Technology, Technology Bhavan, New Mehrauli Road, New Delhi-110 01.

4. The Head of Department,
Department of Biotechnology, Ministry of Science and Technology, Govt. of India, Block 2, 7th Floor, C.G.O Complex, Lodhi Road, New Delhi-110003.

5. The Principal,
College of Agriculture, Tripura, Lembucherra, West Tripura, PIN 799210.

6. Dr. Sukhen Chandra Das,
Assistant Professor (Horticulture)
Department of Horticulture, College of Agriculture, Tripura, Principal Investigator (PI), DBT Funded Project, Lembucherra, West Tripura -799210.

----- Respondent(s)

For Petitioner(s)	: Mr. Kawsik Nath, Adv.
For Respondent(s)	: Mr. Bidyut Majumdar, Dy. SGI. Mr. Mangal Debbarma, Addl. GA.
Whether fit for reporting	: No

HON'BLE MR. JUSTICE BISWAJIT PALIT
Judgment & Order (Oral)

27.04.2026

Heard Mr. Kawsik Nath, learned counsel appearing on behalf of the petitioner and also heard Learned Dy. SGI Mr. Bidyut Majumdar, appearing on behalf of the respondents No. 3 & 4 as well as Learned Addl. GA Mr. Mangal Debbarma, appearing on behalf of the respondents No.1 & 2.

2. The petitioner has filed this 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 order/orders and/or direction/ directions of like nature shall not be issued whereby directing the Respondents to release pending fellowship of the Petitioner for working under the Respondents during the period w.e.f. 01.12.2019 to 14.01.2021 (in total 13 months 14 days) in connection with the project along with interest @ 12% per annum w.e.f the date when it is payable till payment is made.

(ii) Make the rules absolute.

(iii) Call for records.

(iv) Pass any further order/orders as this Hon'ble High Court considered fit and proper.

And

For this act of kindness, your humble Petitioner as in duty bound shall ever pray."

3. Taking part in the hearing, Learned Counsel appearing for the petitioner has drawn the attention of this Court that vide appointment letter dated 02.07.2018 issued by OSD & Principal, College of Agriculture, Tripura, the petitioner was selected as Junior Research Fellow (JRF) in DBT funded Research Project titled

"Screening for resistance to nematodes in traditional banana cultivators and wild species of Tripura and other north eastern regions" with a monthly fellowship of Rs. 25,000/-, plus 10% HRA (Rs. 27,500/-) for a period of one(1) year and he was also asked to join in the department of Horticulture, College of Agriculture, College of Agriculture, Tripura within seven(7) days. The petitioner accordingly joined.

4. Thereafter, the service of the petitioner was further extended for a period of one(1) year w.e.f. 03.07.2019 and again the same was extended for a period w.e.f. 04.07.2020 to 19.03.2021 and in this way up to November, 2019 the petitioner received monthly fellowship, but from December, 2019 to till January, 2021 his fellowship was not released by the respondents and accordingly, for release of the money he has filed the writ petition seeking the reliefs, as aforesaid.

5. Learned counsel further submitted that after filing of the writ petition the respondents vide memo dated 02.05.2025 released a sum of Rs.4,69,172/- to the petitioner for the period w.e.f. 01.12.2019 to 14.01.2021 which was withheld without any bona fide grounds but no interest was released in favour of the petitioner. So Learned Counsel urged before the Court to direct the respondent Authority to release statutory interest w.e.f. 01.12.2019 to 02.05.2025.

6. Learned Addl. GA Mr. Debbarma, appeared and submitted that there was no fault on the part of the respondent Authority to withhold the payment of the petitioner but due to some technicalities payments could not be made but there was no intentional latches on the part of the respondents to withhold the payment and urged before the Court to dispose of the writ petition ignoring the rate of interest. He also drawn the attention of the Court to consider the counter affidavit filed by the respondents.

7. I have also perused the counter affidavit filed by the respondents. In the counter affidavit, nowhere it is mentioned that the payment was withheld by the respondents due to fault or negligence or breach of duty on the part of the petitioner, so the contention of the respondents cannot be accepted and it appears that without any justified grounds the respondents withheld the payment of the petitioner as JRF. But since, after filing of the writ petition a considerable amount has been released by the respondents in favour of the petitioner on 02.05.2025, so for the delayed payment the respondents shall be liable to pay the interest to the petitioner.

8. In the result, the writ petition filed by the petitioner is partly allowed. The respondent Authority be asked to make payment of interest @6% per annum on the total amount of Rs.4,69,172/- w.e.f. 01.12.2019 to 02.05.2025 i.e. the date on which the payment was made, within a period of three(3) months

from the date of passing of this judgment in favour of the petitioner.

9. With these observations, the present writ petition disposed of.

Pending applications, if any, stands also disposed of.

JUDGE



SATABDI DUTTA Digitally signed by SATABDI DUTTA
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