

**HIGH COURT OF TRIPURA
AGARTALA**

W.A.No.214 of 2022

Sri Gouranga Ch. Shil, son of Late Gopendra Ch. Shil, resident of P.O. Renters Colony, Renters Society, AMC Ward No.42 (near Renters Kali Mandir), Agartala, District-West Tripura, PIN-799004.

.....Appellant(s)

Versus

1. The State of Tripura, to be represented by the Secretary/Principal Secretary, Education Department, Govt. of Tripura, Agartala, West Tripura, PIN-799001.
2. The Commissioner of Taxes, O/o the Commissioner of Taxes, P.N. Complex, Gurkhabasti, Agartala, PIN-799010.
3. The Secretary, Department of Finance, Govt. of Tripura, New Secretariat Building, New Capital Complex, Agartala, West Tripura, PIN-799010.
4. The Accountant General, O/o the Accountant General (A&E), Agartala, Tripura, PIN-799006.
5. The Senior Accounts Officer, O/o the Accountant General (A& E), Agartala, Tripura, PIN-799006.

For Appellant(s)	: Mr. Samarjit Bhattacharjee, Advocate.
For Respondent(s)	: Mr. Saktimoy Chakraborti, Advocate General. Mr. B.N. Majumder, Sr. Advocate. Mr. Bidyut Majumder, Deputy SGI Mr. Debalay Bhattacharya, Sr. Advocate. Mrs. Pinki Chakraborty, Advocate. Mr. Agniva Chakraborty, Advocate.

**HON'BLE THE CHIEF JUSTICE MR. M.S. RAMACHANDRA RAO
HON'BLE MR. JUSTICE BISWAJIT PALIT**

Order

15/01/2026

This Writ Appeal is preferred by the appellant challenging the judgment dt. 06.09.2022 of the Learned Single Judge in WP(C)No.113 of 2022.

2. The appellant was an employee of the Education Department of the State Government and he retired from service on 31.12.2015.
3. He filed the said Writ Petition seeking Payment of Gratuity of Rs.10,00,000/- by placing reliance on a judgment of a Learned Single Judge of this Court in WP(C)No.1054/2019 dt. 13.02.2020 (Sri Bhupati Debnath versus The

State of Tripura and Others) and other decisions following the same wherein the payment as per the Payment of Gratuity Act, 1972 was directed to be paid to employees of establishment irrespective of whether they were controlled or governed by the State or Central Government. For the claim of Rs.10,00,000/-, reliance is also placed on the Tripura State Civil Services (Revised Pension) Rules, 2017 which fixed the amount of Gratuity payable at Rs.10,00,000/- w.e.f. 01.04.2017.

4. In the impugned judgment, the Learned Single Judge did not grant reliefs sought on the ground that there were separate Rules governing State Government Employees, such as the Tripura State Civil Services (Revised Pension) Rules, 2017 and the Payment of Gratuity Act cannot be relied upon by the appellant.

5. The revision in amount of gratuity to be paid to the employees of the State Government under the Tripura State Civil Services (Revised Pension) Rules, 2017 to Rs.10,00,000/- became enforceable only from 01.04.2017 and the appellant who retired on 31.12.2015, cannot claim the said benefit.

6. However, since the appellant has been paid Rs.4,00,000/- on 11.07.2016 as per the Tripura State Civil Services (Revised Pension) Rules, 2009 and since the said amount became payable on 01.02.2016, the respondents shall pay interest @ 7% p.a. from 01.02.2016 to 11.07.2016 to the appellant. The said amount shall be paid within 6(six) weeks from today.

Appeal is partly allowed as above.

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

(BISWAJIT PALIT, J)

(M.S. RAMACHANDRA RAO, CJ)

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