

Party Name : BIJOY KR. DEB Vs THE STATE OF TRIPURA & ORS

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THE HONBLE MR. JUSTICE S.C.DAS

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All the four writ petitions noted above are taken up together for hearing and disposal at the admission stage itself with the consent of learned counsel of both side.

Heard learned counsel, Mr. P.K. Pal for the petitioners and learned G.A., Mr. T. Dutta Majumder for the State respondents.

The facts and the point of law in all these writ petitions are identical and hence this common order is passed in respect of all the writ petitions.

The petitioners contended that they were appointed to the post of Lecturer of a degree level institution, namely '*Tripura Institute of Technology*' (for short, TIT) on regular basis. The post of Lecturer was subsequently re-designated as Assistant Professor of TIT. It is the grievance of the petitioners that they were transferred on deputation to the Polytechnic Institute (a diploma level institute) without their consent. It is the case of the petitioners that their position has been degraded as there is no post of Assistant Professor in a diploma level institute. The petitioners, therefore, prayed for setting aside and quashing Memo. dated 07.06.2014(*Annexure-P/5* to the writ petition).

The respondents did not file any counter affidavit.

Learned G.A. produced a file being No.F.10(485)-LA/DHE/2014, and referring to Note Nos.11 to 14, has submitted that the respondents decided not to file any counter affidavit and not to contest the writ petitions.

It is apparent from the contents of the writ petitions and the annexed documents that the petitioners were appointed as Assistant Professor in TIT and they have been transferred on deputation to a diploma level institute which is not permissible and therefore the respondents decided not to contest the case and under such circumstances the writ petitions are allowed.

The impugned Memo. of transfer dated 07.06.2014(*Annexure-P/5* to the writ petition) is set aside and quashed.

The writ petitions accordingly stand disposed of.