HIGH COURT OF TRIPURA
AGARTALA

1. WP(C) No.218/2020

Sri Prabir Bhattacharjee

----Petitioner(s)

Versus

The State of Tripura & others

-----Respondent(s)

2. WP(C) No.219/2020

Sri Apu Ranjan Choudhury

----Petitioner(s)

Versus

The State of Tripura & others

-----Respondent(s)

3. WP(C) No.220/2020

Sri Bipul Gan Choudhury

----Petitioner(s)

Versus

The State of Tripura & others

-----Respondent(s)

4. WP(C) No.221/2020

Sri Suman Paul

----Petitioner(s)

Versus

The State of Tripura & others

-----Respondent(s)

5. WP(C) No.222/2020

Sri Gokul Bardhan

----Petitioner(s)

Versus

The State of Tripura & others

-----Respondent(s)

For Petitioner(s)	:	Mrs. Sujata Deb (Gupta), Advocate, Mrs. Sulagna Nandy, Advocate.
For Respondent(s)	:	Mr. Dipankar Sharma, Addl. G.A., Mr. G.S. Bhattacharjee, Advocate.

HON'BLE THE CHIEF JUSTICE MR. AKIL KURESHI

Order

13/03/2020

All these petitioners are engaged as graduate teachers in Government schools sometime in the year 2017 after following selection process. They have been placed in fixed pay structure by the Government as per its prevailing policy. They seek regular pay scales from inception primarily on the ground that several other teachers who were selected along with them have been placed in regular pay scales from beginning of their tenures. In my opinion, the petitioners are comparing themselves with other teachers whose cases are not comparable. This is so because in case of ***Tanmoy Nath and others vrs. State of Tripura and others*** reported in ***(2014) 2 TLR 731***, Division Bench of this Court set aside the selection and recruitment process of large number of teachers made by the Government. While doing so, in paragraph-125 of the judgment, the Court gave certain directions for retaining such teachers in service till regular selections were made for which time was granted. In this context, it was provided that if any of these teachers get selected again, their past service would be preserved for certain purposes. The teachers which the petitioners seek to compare their cases are those who were governed by the judgment of this Court in case of ***Tanmoy Nath*** (supra), many of them had occasion to again come to the High Court in ***WP(C) No.295 of 2019*** and connected petitions in case of ***Smt. Sangita Reang and others vrs. The State of Tripura and others*** in which by a judgment dated 29.01.2020 this Court had given

directions for protection of past service with suitable modifications, depending on the fact whether the teacher was selected and appointed afresh on the same post, on the higher post or lower post than one he was holding at the time of the decision in case of ***Tanmoy Nath*** (supra). The present petitioners have been engaged afresh. They are nowhere concerned with the decision in case of ***Tanmoy Nath*** (supra). They had not rendered service prior to their present engagements. They, therefore, cannot compare their cases with the batch of teachers represented by ***Smt. Sangita Reang***.

If after completion of 5(five) years of service they are still not brought over to regular pay scales as per the Government policy, they may have a grievance to make. At this stage such a situation has not arisen.

In the result, all the petitions are dismissed.

Pending application(s), if any, also stands disposed of.

HIGH COURT OF TRIPURA
सत्यमेव जयते

(AKIL KURESHI), CJ

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