HIGH COURT OF TRIPURA
AGARTALA

WP(C) No.549/2020

Sri Uttam Kumar Nath

----Petitioner(s)

Versus

The State of Tripura & others

-----Respondent(s)

For Petitioner(s) : Mr. A. Acharjee, Advocate.

For Respondent(s) : Mr. Bidyut Majumder, Asstt. S.G.

HON'BLE THE CHIEF JUSTICE MR. AKIL KURESHI

Order

04/12/2020

Petitioner has challenged an order dated 26.06.2020 passed by the Additional Secretary to the Government of Tripura providing that the petitioner's temporary engagement as Assistant Photographer (Documentation) in Governor's Secretariat will expire on the afternoon of 27.06.2020.

2. The petitioner was initially assigned the work of Photographer in the Governor's House, Tripura under order dated 26.03.2012 which provided that he would do the same work on outsourcing basis at a fixed monthly remuneration and that such engagement would be coterminous. This engagement was continued from time to time in slightly modified

forms. For example, under order dated 29/30.09.2014 the remuneration of the petitioner was revised to Rs.10,000/- per month. The same would be paid from contingent fund.

3. Under memorandum dated 16.01.2018 it was specified that the petitioner would work as an Assistant Photographer (Documentation) at Raj Bhavan on consolidated pay of Rs.14,078/- per month on contractual basis. Significantly, it was further provided that the tenure of the petitioner on contractual engagement shall be coterminous with that of the present Hon'ble Governor of Tripura Sri Tathagata Roy. This engagement continued from time to time, always making it coterminous with the incumbent Governor. Lastly, under memorandum dated 02.05.2020 his engagement was continued for a period of two months. Eventually by the impugned order no further extension was granted.

4. It can thus be seen that the petitioner was not holding any post in the Government service. His engagement was purely contractual. He had no tenure protection. He was essentially required to carry out the work of photography assigned to him which would be coterminous with the incumbent Governor. He did not have any right to hold the post beyond the extensions granted.

5. Petition is dismissed.

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

(AKIL KURESHI), CJ

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HIGH COURT OF TRIPURA
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