HIGH COURT OF TRIPURA
AGARTALA

WP(C) No.571/2020

Dr. Surajit Biswas.

..... *Petitioner(s).*

Vs.

The State of Tripura and Ors.

..... *Respondent(s).*

WP(C) No.572/2020

Dr. Raghunandan Das

..... *Petitioner(s).*

Vs.

The State of Tripura and Ors.

..... *Respondent(s).*

WP(C) No.573/2020

Dr. Suman Adhikari

..... *Petitioner(s).*

Vs.

The State of Tripura and Ors.

..... *Respondent(s).*

WP(C) No.574/2020

Dr. Subrata Sharma

..... *Petitioner(s).*

Vs.

The State of Tripura and Ors.

..... *Respondent(s).*

WP(C) No.575/2020

Dr. Indrajit Saha

..... *Petitioner(s).*

Vs.

The State of Tripura and Ors.

..... *Respondent(s).*

HIGH COURT OF TRIPURA
सत्यमेव जयते

For Petitioner(s) : Mr. P Roy Barman, Advocate,
Mr. Samarjit Bhattacharjee, Advocate,
Mr. Kawsik Nath, Advocate.
For Respondent(s) : Mr. D Bhattacharjee, Govt. Advocate.

HON'BLE THE CHIEF JUSTICE MR. AKIL KURESHI

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02/12/2020

These petitions arise in common background. They would be disposed of by this common order. For convenience, we may notice facts from WP(C) No.571/2020.

This petition is filed by Dr. Surajit Biswas. He has prayed for grant of the benefit of CAS-I with effect from 21st April, 2012 *(i.e. the date on which he completed 4 years as an Assistant Professor with doctorate degree)* instead of 21st April, 2004 as has been granted by the department. His case is that as per the Government notifications and clarifications issued by the Education Department from time to time and in particular, by virtue of a notification dated 2nd February 2010 issued by the Principal Secretary, Government of Tripura, Higher Education Department, the pay scales of the Assistant Professors were revised into two pay bands of Rs.15,600-39,100/- and Rs.37,400-67,000/- with

appropriate Grade Pay. One of the provisions of the said notification was where an Assistant Professor would complete 4 years of service possessing Ph.D. in the relevant discipline would be eligible for moving up to Grade Pay of Rs.7,000/-. The petitioner having joined the service as an Assistant Professor on 21st April 2008, was entitled to receive the said benefit w.e.f. 21st April, 2012. The Government, instead granted the said befit to the petitioner w.e.f 21st April, 2014 by a Memo dated 8th January, 2015. Since then the petitioner has been agitating with the respondents for grant of the benefits from the due date.

The petitioner would point out that under similar circumstances when other Assistant Professors approached this Court by filing ***WP(C) No.1241/2019*** and other petitions ***(Dr. Pradip Debnath Vs. The State of Tripura and Ors.)*** this Court by an order dated 4th December, 2019 disposing of these petitions issued following directions :

> "……..
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> *Under the circumstances, respondent No.1, Principal Secretary, Directorate of Higher Education, Government of Tripura shall examine the grievances of the petitioners and in particular those raised in their respective representations and dispose of the representations within a period of 2(two) months from the date of receipt of the copy of this order by a speaking order. If the decision*

of the said authority is adverse to the petitioners, it would open for them to approach this Court by filing fresh petitions."

It is further pointed out that pursuant to the said order of this Court, the Government of Tripura has also issued necessary orders granting the benefit of CAS I to those petitioners from due dates. A copy of one such order dated 15th June, 2020 in case of Dr. Suvadip Paul is produced at Annexure -13 to the petition.

In facts of the case, let the respondents examine the cases of all of the petitioners for grant of the benefit of CAS I from due dates. Naturally, if it is found that on all material aspects the facts of their cases are identical to those which were involved in case of Dr. Pradip Debnath and Ors. where the Government, according to the petitioners, have granted the appropriate benefits, their cases also would be considered in similar fashion.

For this purpose, these petitions shall be treated as representations of the petitioners and such representations shall be disposed of within 6(six) weeks from the date of receipt of a copy of this order which the petitioners will serve on Director of Higher Education along with a copy of the respective petitions with all annexures.

All petitions are disposed of accordingly. Pending application(s), if any also stands disposed of.

(AKIL KURESHI, CJ)

HIGH COURT OF TRIPURA

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