HIGH COURT OF TRIPURA
AGARTALA

WP(C) No.1147/2019

Sri Shib Sankar Shil,
S/o Late Manindra Shil,
resident of Champamura,
PS – Bishalgarh, District- Sepahijala,
Tripura, Pin – 799 102.

…….. Petitioner(s).

- Vs. -

1. The State of Tripura,
   represented by the Secretary, DWS,
   Government of Tripura, Agartala.
2. The Executive Engineer, DWS,
   Sub-Division – Bishalgarh, District – Sepahijala,
   Tripura, Pin 799102.
3. The Block Development Officer,
   Bishalgarh R D Block, District – Sepahijala,
   Tripura, Pin – 799102.
4. The Panchayat Secretary,
   Champamura Gaon Panchayat,
   Sub-Division – Bishalgarh,
   P.S. Bishalgarh, District – Sepahijala,
   Tripura, Pin – 799 102.
5. Pradhan of Champamura Gram Panchayat,
   Village – Champamura, P.S. Bishalgarh,
   District - Sepahijala, Tripura, Pin – 799 102.

…….. Respondent(s).

For Petitioner(s) : Mr. Sisir Chakraborty, Advocate.

For Respondent(s) : Mr. D Sharma, Additional Govt. Advocate.

HON'BLE THE CHIEF JUSTICE MR. AKIL KURESHI

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01.02.2020

Case of the petitioner is that he was appointed as a Pump Operator on contractual basis by Champamura Gram Panchayat

under order dated 28th November, 2003. Since then the petitioner has been performing his duties operating and maintaining Deshbandhu Colony Pump House under Champamura Gram Panchayat. On 4th March, 2018 some disgruntled elements tried to prevent the petitioner from performing his duties. The petitioner has, nevertheless, been working with sincerity. As per the petitioner, every month his monthly working report is submitted to the office of Block Development Officer(BDO) after counter-signature from Pradhan and Secretary of the Panchayat. However, since May 2018, these authorities are refused to sign the same, on account of which the petitioner has not received his remuneration for the work done since May, 2018. The prayer of the petitioner, therefore, is to direct the respondents to release the remuneration for the said work from May, 2018 till date.

[2] Respondent No.5, Pradhan of the Gram Panchayat though served, has not appeared either in person or through legal representative. Respondents No.1 to 4 the Government authorities have filed affidavit plainly and baldly denying the allegations of the petitioner in the petition but primarily taking the stand that the entire issue concerns the Panchayat and the Government authorities have no significant role to play. Respondent No.4 is the Secretary of the Gram Panchayat. As a Government servant, the affidavit filed by the official respondents covers his stand also. However, he has not made any specific declaration as to the petitioner’s case that despite resistance from the local elements he

has discharged his duties as a Pump Operator uninterruptedly. The Pradhan of the Gram Panchayat has chosen not to participate.

[3] Under the circumstances, I have no choice but to accept the averments and declarations made by the petitioner in the petition as true and correct. The respondents No.4 and 5 are directed to countersign the work report of the petitioner from the month of May, 2018 till date and place the same for payment of remuneration before respondent No.3. That shall be done within a period of 1(one) month from today. Thereupon the respondent No.3 shall release the payment as due within a period of 2(two) months thereafter.

Petition is disposed of accordingly.

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

(AKIL KURESHI), CJ

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HIGH COURT OF TRIPURA
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