HIGH COURT OF TRIPURA
AGARTALA

WP(C) 202 OF 2024

Shri Dilip Nath,
S/o Lt. Monoranjan Nath of Kanchanpur, Subash Nagar,
P.S. + P.O. Kanchanpur, North Tripura Dist., Tripura.

…. Petitioner.

Vs.

1. **The State of Tripura**, represented by the Principal Secretary, Department of Revenue, New Capital Complex,(799010), Agartala, Tripura (W).

2. **The District Magistrate & Collector**, North Tripura District, Dharmanagar, Tripura.

… Respondents.

For the petitioner (s) : None.
For the respondent (s) : Mr. Kohinoor N. Bhattacharyya, G.A.

HON'BLE MR. JUSTICE ARINDAM LODH

26.07.2024

Order

None appears for the petitioner.

Heard Mr. Kohinoor N. Bhattacharyya, learned G.A. appearing for the State-respondents.

By means of filing the instant writ petition, the petitioner has prayed for following reliefs:-

"a. Admit this petition.
b. Call for the records from the custody of the Respondents.
c. Issue Notice upon the Respondents.
And
And after hearing the parties be please to direct the respondents for giving promotion the petition in the post of driver (Group-C) and for giving financial benefits w.e.f. 01/01/2010, for fair ends of justice.
And
To pass any other order or orders as your Lordship may deem fit and proper."

I have perused the pleadings along with the prayers made by the petitioner to examine whether the instant writ petition deserves to be admitted.

Having gone through the claim of the petitioner, in my opinion, the instant writ petition does not deserve to be considered for admission. Here, the petitioner has sought for a relief for promotion to the post of Driver (Group-C) since he was verbally engaged as an Acting Driver from the year 2006 under the respondents though he had joined as a Group-D (Night Guard). The petitioner has submitted so many representations including the demand notice under Section 80 of C.P.C., 1908 claiming promotion to the post of Driver (Group-C). Those representations have not been responded.

This is well-settled that promotion is not a matter of right. It is right to be considered by the employer. The petitioner in this writ petition has claimed for his promotion along with other similarly situated persons. From the averments made in the petition, it is revealed that the petitioner has not made out a case of discrimination that any one of his juniors has been promoted before consideration of his promotion.

In view of this, I do not find any merit in the instant writ petition. Accordingly, the instant writ petition stands dismissed being devoid of merits.

JUDGE

HIGH COURT OF TRIPURA
सत्यमेव जयते

SANJAY GHOSH
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