

**HIGH COURT OF TRIPURA
AGARTALA**

WP(C) 189 of 2024

Sri Rajib Saha

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

Versus

State of Tripura and others

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

For the Petitioner(s)	: Mr. Rishiraj Nath, Advocate Mr. Debajit Biswas, Advocate
For the Respondent(s)	: Mr. Kohinoor N. Bhattacharya, G.A. Mr. Karnajit De, Addl. G.A. Mr. Mangal Debbarma, Addl. G.A. Ms. Riya Chakraborty, Advocate.
Date of hearing and delivery of Judgment & order	: 24.04.2025.
<u>Whether fit for reporting</u>	<u>: No</u>

**HON'BLE MR. JUSTICE T. AMARNATH GOUD
J U D G M E N T & O R D E R (O R A L)**

Heard learned counsel for the respective parties.

[2] This present petition is filed under Article 226 of the Constitution of India seeking following reliefs:

"i. Issue a writ, order or direction in the nature of certiorari for acting upon the order dated 08.08.2023 issued by the respondent

No.2 entitling the petitioner to all the service benefits and arrears of salary (Annexure-4 to the writ petition)

ii. Issue a writ, order or direction in the nature of mandamus commanding/directing the respondent authority to provide the petitioner with all the service benefits and arrears of salary

iii. Issue any such other and further orders which this Hon'ble Court may deem fit and proper under the circumstances of the case.

iv. Award the cost of the petition to the petitioner, against the respondents....."

[3] It is seen from record that on 16.09.2023, the Sr. Deputy Magistrate, O/o, the District Magistrate & Collector, West Tripura District made a communication to the Executive Engineer, RD Jirania Division, Jirania, West Tripura with regard to fixation of Sri Rajib Saha, UDC i.e. the petitioner herein. Thereafter, the Executive Engineer, R.D. Jirania Division by his letter dated 28th November, 2023 requested the Sr. Deputy Magistrate, O/O, the District Magistrate & Collector, West Tripura District about re-fixation as per ROP,2009 for taking further course of action. It is also seen from record that the petitioner has made his demand to the respondent(s) by way of legal notice dated 31.01.2024 but, till date no reply has been made from the side of the respondents with regard to the said legal notice.

[4] In view of the above, without going into the merits of the case, this Court directs the concerned respondents to decide the case of the petitioner in the light of the aforesaid inter-departmental

communications dated 16.09.2023 & 28.11.2023 and the legal notice dated 31.01.2024 served upon the respondent. The decision taken in that regard, be communicated to the petitioner by the concerned respondent(s) within three months from the date of receipt of the copy of this order. Petitioner is also at liberty to serve a copy of this order to the concerned respondent(s) accordingly.

With the above observation, the instant petition is disposed of. As a sequel, miscellaneous application(s), pending if any, shall also stand closed.

T. AMARNATH GOUD, J

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