HIGH COURT OF TRIPURA
AGARTALA

FAO No.09 of 2025

Sri Chanchal Rakshit, S/o. Late Narendra Kr. Rakshit, resident of Badharghat, Matripalli, P.S. A.D. Nagar, P.O. Siddhi Ashram, District - West Tripura.
.....Appellant(s);

Versus

1. State of Tripura represented by its Secretary to the Government of Tripura, Education Department, Office at New Capital Complex, P.O. Kunjaban, P.S. N.C.C., District - West Tripura, Pin - 799006.

2. The Director of Higher Education, Govt. of Tripura, Office at Sikhsha Bhaban, Office Lane, P.S. West Agartala, District - West Tripura, Pin - 799001.

3. The Principal, Ramthakur College, Govt. of Tripura, Badharghat, P.S. A.D. Nagar, P.O. Siddhi Ashram, District - West Tripura, Pin - 799003

.....Respondent(s).

For Appellant(s)	: Mr. Gitangshu Sekhar Das, Advocate, Mr. Kushal Deb, Advocate.
For Respondent(s)	: Mr. Mangal Debbarma, Addl. G.A.

HON'BLE THE CHIEF JUSTICE MR. M.S. RAMACHANDRA RAO

Order

09/01/2026

This appeal is preferred against the order of the Civil Judge (Sr. Div), West Tripura, Agartala, Court No.1 returning the plaint in a suit filed by the appellant against the respondents arising out of a contractual relationship under which the appellant was to do the work of beautification of the lawns of the third respondent – Ramthakur College, and develop the lawns and gardens of the said college.

2. In the impugned order, the Court below held that the dispute between the parties falls within the definition of the term "commercial dispute" as defined in Section 2(1)(xviii) of the Commercial Courts Act, 2015 since the value of the dispute is more than Rs.3,00,000/-.

3. It rejected the plea of the appellant that three years after the suit has been instituted, this is being done which may cause prejudice to the appellant.

4. Since the plaint has been returned for submission to the Commercial Court which is located in the same premises as the Court of the Civil Judge (Sr. Div), West Tripura, Agartala, and since no error in the order passed by the Court below has been pointed out, and since there is no prohibition to entertain a doubt about maintainability of suit in a particular forum when there is another statutory forum made available, this appeal is dismissed. No costs.

(M.S. RAMACHANDRA RAO, CJ)

HIGH COURT OF TRIPURA



Pijush/

PIJUSH KANTI NAG Digitally signed by PIJUSH KANTI NAG
Date: 2026.01.12 10:37:25 +05'30'