

**THE HIGH COURT OF TRIPURA
AGARTALA**

W. P.(C) No.429 of 2015

Sri Bijoy Debbarma alias Action,
son of Sri Bishwamani Debbarma,
resident of Village – Aaidangkur,
P.O. Champahour, P.S. Champahour,
District-Khowai, Tripura – 799 201

.....**Petitioner**

- Vs -

- 1. The Union of India,**
to be represented by the Secretary of Home Affairs,
Ministry of Home Affairs, Government of India,
North Block, New Delhi – 110 001
- 2. The State of Tripura,**
to be represented by the Chief Secretary,
Government of Tripura, New Secretariat Complex,
P.O. Capital Complex, Agartala, Tripura – 799 010
- 3. The Secretary of Home Department,**
Government of Tripura, New Secretariat Complex,
P.O. Capital Complex, Agartala, Tripura – 799 010
- 4. The Director General of Police, Tripura,**
Police Head Quarters, P.O. Agartala, Tripura – 799001

.....**Respondents**

**B E F O R E
THE HON'BLE MR. JUSTICE S. TALAPATRA**

For the petitioner : Ms. P. Dhar, Advocate
For the respondents : Mr. S. Chakraborty, Addl. GA
Date of hearing and delivery : **28.07.2016**
of Judgment and order
Whether fit for reporting : **NO**

Judgment and Order (Oral)

Heard Ms. P. Dhar, learned counsel appearing for the petitioner as well as Mr. B. Majumder, learned Central Government Counsel (CGC) appearing for the Union of India and Mr. B. Banerjee, learned counsel appearing for the State respondents.

02. By means of this writ petition, the petitioner who had surrendered on 05.11.2002 to 11 Bn., Assam Rifles has laid his grievance for contending that in terms of the scheme for Surrender-cum-Rehabilitation of Militants in the North East of Ministry of Home Affairs, Government of India, he has not been extended with the benefits of that scheme even though he was eligible for such benefit. It is urged to this court to direct the respondents to extend such benefits to him.

03. Mr. B. Banerjee, learned counsel appearing for the State respondents has submitted that the petitioner was not granted any benefit of stipend but for him a sum of Rs.50,000/- (Rupees fifty thousand) was sanctioned in terms of the said scheme by the Memorandum under No.13941-50/F.21(84)/TW/SE-Rehab/NB/P-I/05 dated 03.09.2010, Annexure-R/3 to the counter affidavit filed by the State respondents.

04. Ms. P. Dhar, learned counsel for the petitioner has submitted that copy of the said Memorandum dated 03.09.2010 did not reach the petitioner at any point of time. Even she has asserted that having the knowledge of this memorandum dated 03.09.2010 from the counter-affidavit, when the petitioner approached the Police Headquarters, he has been apprised that now the said amount cannot be released in terms of the said memorandum as the fund has lapsed.

05. Mr. Banerjee, learned counsel has fairly submitted that the State respondents are ready to provide the said amount to the petitioner.

06. In view of the statement made by Mr. B. Banerjee, learned counsel, the State respondents are directed to pay a sum of Rs.50,000/- (Rupees fifty thousand) as sanctioned vide Memorandum under No.13941-50/F.21(84)/TW/SE-Rehab/NB/P-I/05 dated 03.09.2010, Annexure-R/3 to the counter affidavit filed by the State respondents to the petitioner within a period of six weeks from today. The petitioner shall appear to the Deputy Director, Tribal Welfare Directorate, Gorkhabasti, Agartala with his identification or with a responsible person who can identify him.

With this observation and direction, this petition stands allowed and disposed of. However, there shall be no order as to costs.

JUDGE

MB