

**HIGH COURT OF TRIPURA
AGARTALA**

WP(C) No. 389 of 2018

Sri Tapan Bardhan, son of late Swadesh Ranjan Bardhan, Resident of Rabindrapalli, Qtr. No. 45, Type-IV (New Building), P.O. Agartala, P.S. West Agartala, Sub-Division: Agartala, District: West Tripura, Pin- 799001

----Petitioner(s)

Versus

1. The State of Tripura, represented by the Secretary & Commissioner to the Government of Tripura, Department of Finance, having his office at New Secretariat Complex, Gorkhabasti, Agartala, P.O. Kunjaban, P.S. New Capital Complex, Sub-Division: Sadar, District: West Tripura.
2. The Commissioner & Secretary, Department of Home, Government of Tripura, having his office at New Secretariat Complex, Gorkhabasti, Agartala, P.O. Kunjaban, P.S. New Capital Complex, Sub-Division: Sadar, District: West Tripura.
3. The Director General of Police, Government of Tripura, having his office at Police Head Quarters, P.O. Agartala, P.S. West Agartala, Sub-Division, Agartala, West Tripura.

----Respondent(s)

For Petitioner(s) : Mr. Anujit Dey, Advocate.
Mr. Koomar Chakraborty, Advocate.

For Respondent(s) : Mr. D. Sharma, Addl. G.A.

HON'BLE THE CHIEF JUSTICE MR. AJAY RASTOGI

Order

31/05/2018

Counsel for the petitioner submits that in the instant writ petition, the petitioner was appointed before 01.01.1996 as Sub-Inspector and his grievance is that the pay scale which he is entitled for on completion of 10 years and further 7 years of

service under the Career Advancement Scheme (for short 'CAS') has been denied to him.

2. Counsel for the petitioner further submits that this Court had an occasion to examine the self same question and the issue came to be decided in the earlier batch of writ petitions vide judgment dt. 20.02.2017 although some clarification was made on a later Review Petition No. 29 of 2017 decided vide order dt. 09.11.2017 and Para-18 of the judgment dt. 20.02.2017 was reframed and extracted in Para-7 of the judgment in review and that has been quoted by this Court while deciding the earlier batch of writ petitions vide order dt. 06.04.2018.

3. Counsel for the petitioner submits that the present writ petitioner is also similarly situated and appointed as Sub-Inspector before 01.01.1996 and since self same grievance has been examined by this Court, the present petitioner is also entitled the same relief *mutatis mutandis* as granted to the writ petitioners who are similarly situated and appointed before 01.01.1996.

4. Copy was served on the State counsel on 24.04.2018 and the counsel for the respondents was directed to seek instructions and the matter was posted on 31st May, 2018. The facts narrated by the petitioner are not been disputed/countered by the respondents.

5. In the light of order earlier passed by me in WP(C) No. 1613 of 2017 (Sri Bir Chandra Jamatia v. The State of Tripura &

Others) and connected writ petitions decided on 06.04.2018, I consider appropriate to dispose of the present writ petition accordingly.

6. Consequently, the writ petition stands disposed of in the same terms as has been decided by the Single Bench of this Court of which detailed reference has been made and all the petitioners are entitled for the revision of their pay scales on completion of ten years and further seven years of service in the scale of Inspector and Deputy Superintendent of Police *mutatis mutandis* as being granted to the writ petitioners who earlier approached this Court which has been decided vide judgment dt. 20.02.2017 read with a modification made in the review application by a later order dt. 09.11.2017. This Court further directs the respondents to ensure compliance of the order and make the payment of arrears to the employee/writ petitioner within four months. No cost.

CHIEF JUSTICE

*Certificate: - All corrections made in the judgment/order
have been incorporated in the judgment/order*

A. Ghosh