

**HIGH COURT OF TRIPURA
AGARTALA**

W.P. (C) No.1229/2017

Sri Biplab Pal, S/O. – Late Haradhan Pal,
R/O – Baikhora, West Charakbai,
P.O. & P.S. – Baikhora, District – South Tripura.

----- Petitioner(s).

Versus

1. The State of Tripura
Represented by its Chief Secretary,
Government of Tripura, New Secretariat Building,
P.O. – Kunjaban, P.S. – New Capital Complex,
Agartala, West Tripura.
2. The Secretary, Employment Services Manpower Planning,
Government of Tripura, New Secretariat Building,
P.O. – Kunjaban, P.S. – New Capital Complex,
Agartala, West Tripura.
3. The Secretary, Department of Education,
Government of Tripura, New Secretariat Building,
P.O. – Kunjaban, P.S. – New Capital Complex,
Agartala, West Tripura.
4. The Director, Education Department,
Government of Tripura, New Secretariat Building,
P.O. – Kunjaban, P.S. – New Capital Complex,
Agartala, West Tripura.

----- Respondent(s).

Connected with
W.P. (C) No.1230/2017

Sri Sudhan Majumder, S/O. – Sri Atul Majumder,
R/O. – Sonapur, P.O. – Barpathari & P.S. – Puran Raj Bari,
District – South Tripura.

----- Petitioner(s).

Versus

1. The State of Tripura
Represented by its Chief Secretary,
Government of Tripura, New Secretariat Building,
P.O. – Kunjaban, P.S. – New Capital Complex,
Agartala, West Tripura.
2. The Secretary, Employment Services Manpower Planning,
Government of Tripura, New Secretariat Building,
P.O. – Kunjaban, P.S. – New Capital Complex,
Agartala, West Tripura.
3. The Secretary, Department of Education,
Government of Tripura, New Secretariat Building,
P.O. – Kunjaban, P.S. – New Capital Complex,

Agartala, West Tripura.

4. The Director, Education Department,
Government of Tripura, New Secretariat Building,
P.O. – Kunjaban, P.S. – New Capital Complex,
Agartala, West Tripura.

----- Respondent(s).

W.P. (C) No.1231/2017

Sri Bibhu Saha, S/O. – Late Nityananda Saha,
R/O. – Near Agricultural Office, College Square,
P.O. – Sarashima & P.S. – Belonia, District – South Tripura.

----- Petitioner(s).

Versus

1. The State of Tripura
Represented by its Chief Secretary,
Government of Tripura, New Secretariat Building,
P.O. – Kunjaban, P.S. – New Capital Complex,
Agartala, West Tripura.
2. The Secretary, Employment Services Manpower Planning,
Government of Tripura, New Secretariat Building,
P.O. – Kunjaban, P.S. – New Capital Complex,
Agartala, West Tripura.
3. The Secretary, Department of Education,
Government of Tripura, New Secretariat Building,
P.O. – Kunjaban, P.S. – New Capital Complex,
Agartala, West Tripura.
4. The Director, Education Department,
Government of Tripura, New Secretariat Building,
P.O. – Kunjaban, P.S. – New Capital Complex,
Agartala, West Tripura.

----- Respondent(s).

W.P. (C) No.1239/2017

Smt. Chhabi Acharjee, W/O. – Sri Biplab Acharjee,
D/O. – Sri Mrinal Kanti Acharjee,
R/O. Vill – Dharmanagar, Teliamura, P.O. & P.S. – Teliamura,
District – Khowai, Tripura.

----- Petitioner(s).

Versus

1. The State of Tripura
Represented by its Chief Secretary,
Government of Tripura, New Secretariat Building,
P.O. – Kunjaban, P.S. – New Capital Complex,
Agartala, West Tripura.
2. The Secretary, Employment Services Manpower Planning,
Government of Tripura, New Secretariat Building,

P.O. – Kunjaban, P.S. – New Capital Complex,
Agartala, West Tripura.

3. The Secretary, Department of Education,
Government of Tripura, New Secretariat Building,
P.O. – Kunjaban, P.S. – New Capital Complex,
Agartala, West Tripura.

4. The Director, Education Department,
Government of Tripura, New Secretariat Building,
P.O. – Kunjaban, P.S. – New Capital Complex,
Agartala, West Tripura.

----- Respondent(s).

W.P. (C) No.105/2018

1. Smti. Sharmistha Sharma, W/O. – Sri Sandip Kr. Basak,
D/O. – Manimoy Sharma, Resident of Dhaleswar,
Road No.5, P.O. – Dhaleswar, P.S. – Agartala,
Sub-Division – Sadar, District – West Tripura.

2. Smt. Gouri Dey, W/O. – Sri Amritlal Das,
R/O. Vill. – West Taranagar, P.O. – Mohanpur,
P.S. – Sidhai, District – West Tripura.

3. Sri Bhabatosh Dey, S/O. – Sri Anil Ch. Dey,
R/O. – Vill. – South Dhaleswar, P.O. – Agartala College,
P.S. – East Agartala, District – West Tripura.

----- Petitioner(s).

Versus

1. The State of Tripura
Represented by its Chief Secretary,
Government of Tripura, New Secretariat Building,
P.O. – Kunjaban, P.S. – New Capital Complex,
Agartala, West Tripura.

2. The Secretary, Employment Services Manpower Planning,
Government of Tripura, New Secretariat Building,
P.O. – Kunjaban, P.S. – New Capital Complex,
Agartala, West Tripura.

3. The Secretary, Department of Education,
Government of Tripura, New Secretariat Building,
P.O. – Kunjaban, P.S. – New Capital Complex,
Agartala, West Tripura.

4. The Director, Education Department,
Government of Tripura, New Secretariat Building,
P.O. – Kunjaban, P.S. – New Capital Complex,
Agartala, West Tripura.

----- Respondent(s).

For Petitioner(s) : Mr. A. Bhowmik, Advocate.

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

HON'BLE THE CHIEF JUSTICE MR. AJAY RASTOGI

Order

30/08/2018.

The present writ petitions have been filed by the candidates, who appeared before the interview board for Graduate Teachers under different interview letters but neither select list nor the final penal, if any, prepared in furtherance to the interview held by the respondents has not been placed on record.

2. Counsel for the petitioner submits that three of the candidates who appeared along with the petitioners have approached this court by filing of writ petitions and merely on the basis of they being called for interview, an inter se merit was assessed/evaluated on the basis of their marks in the qualifying examination, it was directed that they may be considered for appointment but it appears to be consented order.

3. The submission on the face of it is fallacious for the reason that those who hold the qualifying examination with the bench mark, if any, were to be called for participating in the selection process but ultimately, those who are finally found to be suitable in reference to the advertised vacancies would alone be considered for appointment. In the present batch of writ petitions, the petitioner has not placed on record that what was the final outcome of the interview in which they appeared for the post of Graduate Teachers.

4. It is informed to this court that the selections are held in reference to the advertisement in the year 2003 & 2006 have been earlier cancelled by the Government and so far held in the year 2009 & 2012 are concerned, by an intervention of this court have been cancelled.

5. Counsel for the petitioner at this stage submits that if the fresh selection process is being initiated by the respondents, they may at least get an opportunity to participate being over age and may cause prejudice to them and be deprived of fair opportunity in the selection process, if initiated by the respondents in near future.

6. Counsel for the respondents has placed before me a Memorandum dt.20.08.2018 and what being submitted by the petitioners counsel has been noticed by the respondents in Para-4 and the Government took a decision that so far the candidates, who had participated in the cancelled recruitment processes shall be provided one time relaxation in upper age limit to enable them to participate once in the fresh recruitment process subject to fulfillment of other conditions of eligibility under the relevant rules.

7. In the light of Para-4 of the Memorandum dt.20.08.2018, the grievance has been noticed by the respondents and nothing further survive in the writ petition.

8. Consequently, with the observation indicated above, the writ petition stands disposed of.

CHIEF JUSTICE

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

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