

**HIGH COURT OF TRIPURA
AGARTALA**

CONT. CAS(C) No.42 of 2020

For Petitioner (s)	:	Mr. A. Bhowmik, Adv.
For Respondent (s)	:	None

HON'BLE MR. JUSTICE S. TALAPATRA

Order

31.08.2020

This is a petition under Section 12 of the Contempt of Courts Act for alleged violation of the direction contained in the judgment and order dated 07.01.2020 delivered in W.P.(C) No.756 of 2018.

The grievance of the petitioner is that in terms of the said order, even though regularization has been effected but the due payment has not been made. The direction of the court was that the petitioner shall be regularized from the date when he completed 10 years of service in the casual employment but his pay and allowances shall be notional till 30.09.2016 and it was also directed that thereafter the petitioner shall be entitled to the financial benefits and other service benefits. It is admitted by the petitioner that by the order dated 06.05.2020 [Annexure-2 to the petition] the respondents have passed the required order. In Para-3 of the said order, it has been provided as under:

"3. Pay of the incumbent be regularized notionally from the date when Sri Acharjee who had completed 10 years of service in casual employee i.e. from 1st February, 2013 to till 30.09.2016 under TSCS (RP) rules, 2009 and thereafter the incumbent shall be entitled to the financial and other service benefits."

Mr. A. Bhowmik, learned counsel appearing for the petitioner has strenuously argued before this court that this is a violation of the court's order as the petitioner has not been paid the financial benefits.

Having perused the records, this court does not find any material to draw up a contempt proceeding against the alleged respondents.

Accordingly, this contempt proceeding stands closed.

The petitioner is given liberty to bring the appropriate action if the financial due is not paid to him.

JUDGE

Sujay