

**HIGH COURT OF TRIPURA
AGARTALA**

WA No.14 of 2021

Uttam Kr. Nath

----Petitioner(s)

Versus

The State of Tripura and Ors.

----Respondent(s)

For Appellant(s) : Mr. A. Acharjee, Adv.

For Respondent(s) : Mr. P. K. Dhar, Sr. G.A.

Mr. B. Majumder, ASGI.

**HON'BLE MR. JUSTICE S. TALAPATRA
HON'BLE MR. JUSTICE S. G. CHATTOPADHYAY**

Order

29/01/2021

Heard Mr. A. Acharjee, learned counsel appearing for the appellant.

This inter-court appeal is directed against the judgment dated 04.12.2020 delivered in WP(C)No.549 of 2020, by which the writ petitioner has sought direction on the respondents to allow him continue in his engagement as the Photographer (Documentation) in the Governor's House.

There is no dispute that the petitioner was engaged temporarily as the Assistant Photographer (Documentation) in the Governor's House for a tenure which was supposed to expire on 26.06.2020. Initially, the appellant was engaged on

26.03.2012 and his engagement was renewed from time to time with modification in the conditions, particularly in the clause of remuneration. By the memorandum dated 16.01.2018, while the tenure of the petitioner was renewed, it was categorically specified that the appellant will work as an Assistant Photographer (Documentation) at Raj Bhavan [the Governor's House] on consolidated pay of Rs.14,078/-(Rupees Fourteen thousand seventy-eight) per month on contractual basis. It has been observed by the learned Single Judge that the engagement continued from time to time, always making it co-terminous with the tenure of the incumbent Governor. Lastly, under the memorandum dated 02.05.2020 the appellant's engagement was continued only for two months and thereafter, no extension was granted.

It is to be noted that by the memorandum dated 02.05.2020 extension coterminous with the tenure of the Governor has been substantively altered. Eventually, no further extension, on expiry of two months with effect from 28.02.2020, was allowed in favour of the appellant.

The petitioner has challenged his disengagement by means of the writ petition. Learned Single Judge has correctly

observed that the appellant (the writ petitioner) does not have any right to continue in the post beyond the extended period.

We do not find any difficulty in accepting the said observation inasmuch as conditions of service of the appellant were completely regulated by the contract. The appellant is not protected from disengagement by any other law or policy.

Hence we do not find any merit in this appeal and accordingly, the same stands dismissed.

There shall be no other as to costs.

JUDGE

JUDGE



सत्यमेव जयते