

**HIGH COURT OF TRIPURA
AGARTALA**

WP(C) No.445 of 2023

Sri Tapan Kr. Sarkar and others

..... Petitioner(s)

V E R S U S

The State of Tripura and others

..... Respondent(s)

For Petitioner(s) : Mr. Samar Das, Advocate.

For Respondent(s) : Ms. Ayantika Chakraborty, Advocate.

HON'BLE THE CHIEF JUSTICE MR. APARESH KUMAR SINGH

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31/07/2023

Petitioners have preferred the writ petition with the following prayers:

- "a. Admit this petition;
- b. Issue notice upon the respondents superintendent engineer from the post of executive engineer in accordance
- c. Call for records and
- d. After hearing the parties please to issue a Writ in the nature of certiorari for setting aside/quashed the notification No.F.CE/RB/RR/2015-16 dated 25/06/2015 forthwith and in no time AND also Issue a Writ in the nature of certiorari for setting aside/quash the communication No.F1(47)-CE/RD/GNL-COR/2022-23/1548 dated 31/01/2023 forthwith and in no time AND also Issue a Writ in the nature of mandamus directing the respondents and each of them to consider the promotion to the post of superintendent engineer from the post of executive engineer in accordance to the seniority list without making any discipline wise embargo as like civil engineer."

Petitioners were appointed as Junior Engineers and had undergone promotion up to the level of Executive Engineers. They are aggrieved by non-promotion to the post of Superintending Engineer. The Recruitment Rules of

Rural Development Department notified on 25.06.2015, however, allow promotion from the category of Civil Engineers with 7 (seven) years experience to Superintending Engineers. Petitioners claim to be serving in the Department but have degrees of Mechanical.

However, learned counsel for the petitioners seeks permission to withdraw the writ petition with a liberty to file a fresh writ petition with proper foundational pleadings and supporting documents.

Accordingly, the writ petition is dismissed as withdrawn. Pending application(s), if any, also stands disposed of.

(APARESH KUMAR SINGH), CJ

