

**HIGH COURT OF TRIPURA
AGARTALA
WP(C) NO.813 OF 2022**

Smti. Sumitra Debbarma

..... **Petitioner(s)**

Vs.

The State of Tripura and ors.

..... **Respondent(s)**

For the Appellant(s) : Mr. B.N. Majumder, Sr. Advocate.
Mr. D. J. Saha, Advocate.

For the Respondent(s) : Mr. B. Majumder, Deputy SGI.
Mr. D. Sharma, Addl. G.A.

Date of hearing and delivery of
Judgment & Order : 28.04.2023.

Whether fit for reporting : YES/NO.

HON'BLE MR JUSTICE T. AMARNATH GOUD

JUDGMENT AND ORDER(ORAL)

This present writ petition has been filed under Article
226 of the Constitution of India seeking the following reliefs:-

" i. Issue Rule NISI.

ii. Issue Rule NISI calling upon the State respondents or each one of them to show cause as to why a Writ of Mandamus shall not be issued directing/commanding/mandating the State respondents to extend the pension benefit of the petitioner by modifying the letter of acceptance of voluntary retirement of the petitioner treating her to have been retired voluntarily after completion of 20(twenty) years of service of the petitioner.

iii. Issue Rule calling upon the respondents to show cause as to why a writ of Certiorari shall not be issued quashing/cancelling/setting aside the letter of acceptance for voluntarily retirement and the order of struck off dated 24.06.2020 and 27.07.2020 respectively (Annexure-3 and Anneuxure-4, supra).

iv. Issue RULE calling upon the respondents or each one of them as to why alternatively a writ in the nature of mandamus shall not be issued to the respondents directing/mandating/commanding to treat the petitioner to have retired from the service on completin of her

20(twenty) years qualifying service on and from 18.11.2020 by altering/modifying the acceptance letter of voluntary retirement of the petitioner dated 24.06.2020(Annexure-3);

v. Issue Rule calling upon the Respondents or each one of them as to why any other appropriate writ/writs, Order/Orders shall not be passed for giving complete and full relief to the petitioner and in the case the respondents show caused or not, upon hearing the sides, your Lordships may be pleased to make the Rule absolute in terms of the prayers i to v;.”

2. Heard Mr. B.N. Majumder, learned Sr. counsel assisted by Mr. D.J. Saha, learned counsel appearing for the petitioner as well as Mr.B. Majumder, learned Deputy SGI appearing for the Union-respondent and Mr. D. Sharma, learned Addl. G.A. appearing for the State-respondents.

3. It is seen from the record that the petitioner herein has submitted a prayer dated 24.05.2022 before respondent No.2 for getting her monthly pension which is still unattended till date.

4. In view of such, without expressing any opinion on the merits, this present writ petition is disposed of with a direction upon the respondents to consider the representation/prayer dated 24.04.2022 within a period of 2(two) months from the date of receipt of this order and the same should be communicated to the petitioner herein.

5. With the above observation and direction, this present writ petition stands disposed of. As a sequel, stay if any

stands vacated. Pending application(s), if any also stands closed.

JUDGE

suhanjit

