

HIGH COURT OF TRIPURA

A_G_A_R_T_A_L_A_

WP(C)No.334 of 2025

Sri Animesh Das

.....Petitioner

_V_E_R_S_U_S_

The State of Tripura & 6 Others

.....Respondents

For Petitioner(s) : Mr. P. Roy Barman, Sr. Advocate.
Mr. S. Bhattacharjee, Advocate.

For Respondent(s) : Mr. K. De, Addl. G.A.

HON'BLE JUSTICE DR. T. AMARNATH GOUD

_F_I_N_A_L_O_R_D_E_R_

27.06.2025

Heard Mr. P. Roy Barman, learned senior counsel assisted by Mr. S. Bhattacharjee, learned counsel appearing for the petitioner and Mr. K. De, learned Addl. G.A. appearing for the respondent-State.

[2] The present petition has been filed under Article-226 of the Constitution of India for cancelling the memorandum dated 26.06.2024 issued by the Under Secretary, Department of Finance, Government of Tripura and further directing the respondents to release of regular monthly pension, commuted value of pension, full and final payment of gratuity @ Rs.20,00,000/- in favour of the petitioner with interest @10% per annum w.e.f.01.01.2024 till actual payment is made. Moreso, directing the respondents to pay other retiral dues due to enhancement o DR time to time with interest @10% per annum and interest @10% per annum w.e.f. 01.01.2024 for deferred payment of leave salary to the petitioner, till the date of payment is made.

[3] The petitioner has prayed for the following reliefs:

- a. Issue rule upon the respondents to show cause as to why a writ in the nature of Mandamus and/or any other order/orders shall not be issued whereby quashing and cancelling the memorandum dated 26.06.2024 issued by the Under Secretary, Department of Finance, Govt. of Tripura.
- b. Issue rule upon the respondents to show cause as to why a writ in the nature of Mandamus and/or any other order/orders shall not be issued whereby directing the respondents to cause release of regular monthly pension, commuted value of pension, full & final payment of gratuity @ Rs.20,00,000/- in favour of the petitioner, with interest @ 10% per annum w.e.f. 01.01.2024 till payment is made.
- c. Issue rule upon the respondents to show cause as to why a writ in the nature of Mandamus and/or any other order/orders shall not be issued whereby directing the respondents to pay interest @10% per annum w.e.f. 01.01.2024 for deferred payment of leave salary and other retiral dues due to enhancement of DR time to time to the petitioner, till the date of payment, is being made.

AND

Call for the records pertaining to the instant writ petition from the custody of the respondents and to make the rule absolute.

AND

After hearing both the parties pass any order/orders as this Hon'ble High Court considered fit and proper."

[4] The facts in brief are that in the instant writ petition, the petitioner, who has retired from service on superannuation on 31.12.2023 (A.N), in the post of Director, Department of Science, Technology & Environment, Govt. of Tripura, has sought for necessary direction upon the respondents to quash and cancel the memorandum, dated, 26.06.2024, issued by the Under Secretary, Department of Finance, Govt. of Tripura. The petitioner also sought for necessary direction upon the respondents to cause release of regular monthly pension, commuted value of pension, full & final payment of gratuity @ Rs. 20,00,000/-, in favour of the petitioner, with interest @10% per annum w.e.f. 01.01.2024 till payment is made and also for directing the respondents to pay interest @ 10% per annum w.e.f. 01.01.2024 for deferred payment of leave salary and other retiral dues due to enhancement of DR time to time to the petitioner. The petitioner's legitimate benefits due to retirement from Government service on superannuation have been withheld solely on the specious and unsustainable ground of a pending criminal proceeding without any justifiable or lawful basis.

[5] Hence, the present petition has been filed before this Court for redress.

[6] In view of above and having heard the learned counsel appearing for the parties, without expressing any opinion on merits, this Court is of the view that ends of justice would be met if the matter is disposed of by directing the concerned respondent to consider the case of the petitioner as per memorandum dated 26.06.2024, in accordance with law, facts and rights be decided as expeditiously as possible preferably within a period of three months from the date of the receipt of the copy of this order. Accordingly, the same is ordered. Further, it is made clear that whatever the decision is taken by the concerned respondent, the same may be communicated to the petitioner.

[7] As such, the present petition stands disposed of. As a sequel, miscellaneous application, pending if any, shall stands closed.

T. AMARNATH GOUD, J