

HIGH COURT OF TRIPURA
AGARTALA

WP(C) 495 OF 2025

1. Adhir Chakraborty,

S/o-Lt. Annada Chakraborty, Village-11, Word No-6, Near 1 NO. Tila I.C.D.S CENTER 1NO TILA BLOCK BOKAFA, Sub-Division-Santirbazar, Muhuripur, District-South Tripura, Pin-799142, Age-61 years.

2. Laithaifru Mog,

S/o- Lt. Mamo Mog, Village- Natun Chowdhury Para/ Word No. 02, Muhuripur R.F Latua Tila, Sub-Division-Santir Bazar, District-South Tripura, Pin-799144. Age. 63yrs.

3. Dulu Biswas,

W/o- Rakhal Baiday, Village-Ranga Chara, A.W.C, Debbaru, P.O-Debbaru, Sub Division-Santirbazar, Bokafa Debbaru, District- South Tripura, Pin-799141.

4. Kalipada Dhar,

S/O- Lt. Rasamoy Dhar, R/O- Babur Bazar, P.O- Babur Bazar, Kailashahar, North Tripura, Pin-799277.

5. Samir Kumar Dhar,

S/o- Lt Sailendra Kumar Dhar, Village- 65 W-2, Near Srirampur, P.O.- Srirampur, VTC-Srirampur, District- North Tripura, Pin-799277.

6. Bijali Roy Baidya,

W/o- Shimul Baidya, Village- 209 Ward 5 Baroj Colony, Belonia/ Sarasima Belonia, P.S-Belonia, District-South Tripura, Pin-799155. Age-62 years.

7. Parul Rani Debnath,

W/O- Lt. Ramesh Debnath, P.O & Village- Rajnagar, South Tripura, Pin-799150, Age-62 yrs.

8. Rabindra Debnath,

S/o- Lt. Gobinda Debnath, Village-Kalan Depa Block, Rajnagar, Uttar Bharat Chandra Nagar, District- South Tripura, Pin-799155. Age 61 yrs.

9. Anju Rani Ghose Roy,

W/o- Milan Roy Shil, Village-243, Ward No. 8, Pan. Rajnagar Mouja. Prakash Nagar Sub. Div- Belonia, VTC: Rajnagar, District- South Tripura, Pin-799150. Age- 64 years.

10. Kalpana Das,

W/o- Adhir Das, Village- 100 CARD PARA, Village- South Radhanagar, P.O.- Radhanagar, Sub- Division-Belonia, VTC: South Radhanagar, District-South Tripura, Pin-799153. Age - 65 yrs.

11. Mamata Sarma Roy,

W/o- Nitai Roy, Village-Nataji Palli, Ward-3 Belonia, Nagar Panchayet, District-South Tripura, Pin-799155. Age-62 years.

12. Jhulan Saha,

W/o- Ranjit Das, Village- Ward No-12. land Line Sarashima, Belonia Nagar Panchayet, P.O-Belonia, District- South Tripura, Pin-799155. 60 years

13. Usha Biswas Majumder,

W/o- Sudhanshu Majumder, Village- 06, SBC. NAGAR H/S. SCHOOL, Dakshin Bharatchandra Nagar, Sub Division-Belonia, Rajnagar, Dakshin. Bharatchandra, P.O- South Bharat Ch. Nagar, District-South Tripura, Pin-799155. Age-63 years.

14. Arati Nag,

W/o Jagdish Choudhury, Village-Sukanta Para I.C.D.S, Saradshima, District-South Tripura, Pin-799155. Age-62 years.

15. Kalpana Shome,

C/o-Sankar Chandra Majumder, Village- Ramthakur Para, P.S- Belonia, District- South Tripura, Pin-799155. Age 62 years.

16. Laxmi Rani Debnath,

W/o- Gouranga Kumar Debnath, Village- Nath Para, Sarashima, P.O.-Belonia, District- South Tripura, Pin-799155. Age-61 years.

17. Kalpana Singh Dey,

W/o- Santosh Kr. Dey, Village-Para-Bridhdangar, G. P/ Mouja-Bridhdangar, P.O-Ranibazar, Sub-Division-Sadar, District- West Tripura, Pin-799035. Age 61years.

18. Hari Dasi Saha Das,

W/o- Sunil Chandra Das, Village-15, Ward No.7, P.O- Majlishpur, P.O.-Ranir Bazar N.P, District-West Tripura, Pin-799035. Age - 65 years.

19. Kalipada Deb,

S/o- Lt. Rasamay Deb, Village-WARD-1 Dhalierkandi Yeazekhowra, District-North Tripura, Pin-799281. Age- 61 years.

20. Padmabati Sinha,

W/O- Puranjan Sinha, Ward No-04, Bir Chandra Nagar Fultali, District-North Tripura, Pin-799280. Age- 62 years.

21. Anjali Rani Deb,

W/o- Lt. Pannalal Deb, Village-Mekhlipara School/05, Meghli Para, P.O. Ranirbazar, District-West Tripura, Pin-799035. Age-64.

22. Mira Nath,

W/o- Sitesh Nath, Village- 6/ Pratyek Ray, Barua Kandi a,w.c., Pratyek Ray, VTC- Pratyek Ray, District-North Tripura, Pin-799251, Age- 62 years.

23. Jasu Rani Sarkar,

W/o- Lt. Purna Chandra Sarkar, Village- Manik Debnath Para, Chakmaghat Bazar Colony School, Laxmipur, Chakmaghat, District-West Tripura, Pin- 799205. Age- 63 years.

..... **Petitioners**

Versus

1. The State of Tripura,

To be represented by the Secretary, Social Welfare and Social Education, Govt. of Tripura, New Secretariat Complex, Kunjaban, Agartala, West Tripura, PIN 799010.

2. The Secretary,

Department of Finance, Govt of Tripura, New Secretariat Complex, Kunjaban, Agartala, West Tripura, PIN 799010.

3. The Director of Social Welfare and Social Education,

Government of Tripura, Directorate of Social Welfare and Social Education, Abhaynagar, Agartala, West Tripura, Pin 799010.

4. The District Inspector of Social Education,

South Tripura District, O/o the District Inspector of Social Education, South Tripura, Pin 799101.

5. The District Inspector of Social Education,

North Tripura District, O/o the District Inspector of Social Education, North Tripura, Pin 799250.

6. The Secretary, Agriculture and Farmers Welfare,

Govt of India, Krishi Bhawan, Room No- 37C, New Delhi-110001.

7. The Secretary,

School Education and Literacy, Govt of India, Shastri Bhawan, New Delhi, Pin- 110001.

8. The Secretary,

Ministry of Information and Broadcasting, Room no- 552, A wing, Shastri Bhawan, New Delhi, Pin- 110001.

9. The CDPO,

Belonia ICDS Project, Belonia, South Tripura, Pin-799155.

10.The CDPO,

Hrishyamukh ICDS Project, Belonia, South Tripura, Pin-799156.

11.The CDPO,

Rajnagar ICDS Project, Belonia, South Tripura, Pin-799150.

12.The CDPO,

Jolaibari ICDS Project, Santir Bazar, South Tripura, Pin-799141.

13. The CDPO,

Jirania ICDS Project, Jirania, West Tripura, Pin-799045.

14. The CDPO,

Teliamura ICDS Project, Khowai Tripura, Pin-799205.

15. The CDPO,

Kailashahar ICDS Project, Unakoti, Tripura, Pin-799277.

16. The CDPO,

Dharmanagar ICDS Project, North Tripura.

----- **Respondents**

For the petitioners : Mr. P. Roy Barman, Sr. Advocate.
Mr. S. Debbarman, Advocate.

For the respondents : Mr. P. Gautam, Sr. G.A.

HON'BLE MR. JUSTICE S. DATTA PURKAYASTHA

ORDER

26.09.2025

Heard learned Senior Counsel Mr. P. Roy Barman, appearing for the petitioners and learned Senior G.A. Mr. P. Gautam, appearing for the respondents.

2. The case of the petitioners are that they were engaged as Part-time Instructors under the Social Welfare and Social Education Department in the year 1978 onwards and since then, they are discharging their duties with satisfaction of the department but, suddenly their wages were stopped from the month of May, 2025 and, therefore, they have filed the present writ petition with the following prayers:

"i. Issue Rule upon the Respondents to show cause as to why Writ in the nature of mandamus and/or Order or direction shall not be issued whereby directing the Respondents to allow the Petitioners to resume their duty as Part Time Instructors in their existing place of posting.

ii. Issue Rule upon the Respondents to show cause as to why Writ in the nature of mandamus and/or Order or direction shall not be issued whereby directing the Respondents to release arrear of pay of the Petitioners which fell due since May,2025.

iii. Issue Rule upon the Respondents to show cause as to why Writ in the nature of mandamus and/or Order or direction shall not be issued whereby directing the Respondents to accept the Work Report of the Petitioners for the month of May to August, 2025.

iv. Make the rules absolute.

v. Call for the records,

vi. Pass any further order/orders as this Hon'ble High Court considered fit and proper."

3. Learned Senior Counsel, Mr. P. Roy Barman submits that in the writ petition at prayer no.(i), direction has been sought for to allow the petitioners to resume their duty as Part-time worker but, factually they have been working continuously and their engagement was not suspended on any occasion. Mr. Roy Barman, learned Sr. Counsel also refers to a Memorandum dated 22.04.2025 [Annexure-5 to the writ petition], issued by the Department of Finance, whereby the monthly wages of Part-time Instructor was raised to Rs.7171/- from Rs. 6962/-. He also refers another letter dated 09.06.2025 [Annexure-7 to the writ petition], sent by the C.D.P.O., Bagafa ICDS Project to the respondent no.3 informing that- out of total 22 nos. of Part-time Instructors, 21 nos. of such workers have already completed 60 years of age and one is yet to complete 60 years. At present honorarium is being disbursed only to one such worker who is below the age of 60 years and rest are not receiving any honorarium. It is mentioned in the said letter that on 06.06.2025, some of the said workers met with him personally and laid a request for regularization of their honorarium.

4. Learned Sr. G.A., submits that a notification is issued by the State on 03.09.2025 [Annexure-II to the counter affidavit] whereby the upper age of the Part-time Instructor has been fixed at 60 years and further direction is issued that those who have crossed the upper age of 60 years in the meanwhile, should be discontinued immediately and for this reason, the honorarium has not been paid.

5. In reply, learned Sr. Counsel, Mr. Roy Barman submits that the said notification will be challenged by the petitioners in due course in appropriate forum, but at present the petitioners are entitled to get their wages at least from the month of May, 2025 till August, 2025. Therefore, he prays

for necessary direction to be issued to the respondents to disburse the said wages to the petitioners for the above said period.

6. Mr. Roy Barman, learned Sr. Counsel also submits that the petitioners may be given the liberty to challenge the notification dated 03.09.2025 in due course and it was issued during pendency of writ petition.

7. Considering the submissions of both sides and also the materials placed in the record, it appears that though the petitioners in their writ petition categorically stated that they were discharging their duties to the satisfaction of the department, there is no denial of the said fact by the respondents in their pleading. There is also no assertion from the side of the respondents that for the above said period, those persons have not discharged their duties. When the respondents have utilized the services of the petitioners for the above said period, they are under legal obligation to make the payment of their wages for the same.

8. In view of the above discussions, the writ petition is allowed. The respondents are directed to make the payment of the wages of the petitioners for the period from May, 2025 till August, 2025 in terms of Memorandum dated 24.02.2025 [Annexure-5 to the writ petition] within 4(four) weeks of receipt of copy of this order.

9. It is clarified that this order will not stand as a bar for the petitioners to challenge the notification dated 03.09.2025 [Annexure-II to the counter affidavit] in due course, in any appropriate forum in accordance with law.

10. With the above observations and directions, the writ petition is disposed of.

Connected application(s), if any, shall also stand disposed of.

JUDGE