

**HIGH COURT OF TRIPURA
A G A R T A L A**

W.P.(C) No.577 of 2024

Sri Piklu Dey

..... Petitioner(s)

- V e r s u s -

The State of Tripura & Ors.

.....Respondent(s)

For the Petitioner(s)	:	Mr. P. Roy Barman, Sr. Adv. Ms. S. Debbarman, Adv.
For the Respondent(s)	:	Mr. M. Debbarma, Addl. G.A.

HON'BLE MR. JUSTICE S. DATTA PURKAYASTHA

ORDER

22.01.2026

Heard Mr. P. Roy Barman, learned senior counsel assisted by Ms. S. Debbarman, learned counsel appearing for the petitioner and Mr. M. Debbarma, learned Addl. G.A. appearing for the state-respondents.

Mr. R. Datta, learned counsel appearing for the private respondents has sought for an adjournment on his personal grounds.

Mr. Roy Barman, learned counsel submits that initially the petitioner was appointed as Auditor on fixed pay basis temporarily vide memorandum dated 28.03.2005 (Annexure-1). Thereafter, his service was regularised vide memorandum dated 16.09.2025 (Annexure-3). Final seniority list was also published thereafter wherein the name of the petitioner was placed at Sl. No.21 whereas the names of the private respondents were placed at Sl. Nos.35 to 39 and 87. Thereafter, a promotional order was issued on 14.03.2022 (Annexure-11) whereby the private respondents were promoted to the post of Audit Officer/Accounts Officer (TAAS, Grade-IV) though the private respondents were junior to the petitioner.

Mr. Roy Barman, learned senior counsel also submits that as per the recruitment rules, the promotional post of Audit Officer/Accounts Officer (TAAS, Grade-IV) is required to be filled up from the Audit Officer, Grade-V

who has completed 8 years of service of regular service in the feeder post and also who has passed the departmental examination. It is admitted position that those private respondents already passed the departmental examination when the said promotional order dated 14.03.2022 was issued but at that time, the petitioner did not qualify the same. However, later on, according to the petitioner, he passed the departmental examination and the result was published by memorandum dated 22.10.2022 (Annexure-12). Thereafter, some other persons who were also junior to the petitioner (not party in this writ petition) were also promoted to the post of Audit Officer/Accounts Officer (TAAS, Grade-IV) depriving the petitioner vide memorandum dated 22.05.2022 (Annexure-8). Therefore, according to learned senior counsel, the petitioner has filed the writ petition challenging both the above said two promotional orders.

Mr. Debbarma, learned Addl. G.A. however submits that when the second promotional order was issued on 22.10.2022 the petitioner did not passed the departmental examination. Therefore, his case could not be considered. Mr. Debbarma, learned Addl. G.A. also submits that actually the petitioner passed the departmental examination (Paper-I) in November, 2022 and (Paper-II) in February, 2022. The Director of Audit signed the said memorandum on 22.05.2023 though the date of issuance of said memorandum as reflected therein, is on 20.05.2023. There are apparent anomalies in the said memorandum as one person normally cannot pass the Paper-I after he has already passed Paper-II and more so, it is also not clear about the actual date of publication of result.

In such a situation, the respondent No.2 will submit an affidavit explaining about the said confusions and also specifying the actual date of passing departmental examination by the petitioner. Necessary documents in support of his affidavit will also be annexed therewith.

Time as sought for by Mr. Datta, learned counsel appearing for the private respondents is allowed.

List this matter on 29.01.2026.

JUDGE

Sujay