

**HIGH COURT OF TRIPURA
AGARTALA**

I.A. No.1 of 2025 in WP(C) No.683 of 2025

Sri Deepjyoti Deb
S/O Runu Deb
R/O-A.D. Nagar Road No.2, Agartala, West Tripura

---- Applicant(s)

Versus

- 1. The State of Tripura,**
Represented by the Secretary, Public Works Department (R & B),
Government of Tripura, New Secretariat Complex, P.O.-Kunjaban,
P.S.-New Capital Complex, District-West Tripura.
- 2. The Deputy Secretary,** PWD(R&B),
Govt. of Tripura, Agartala, Tripura.
- 3. The Chief Engineer,** PWD(R&B),
Govt. of Tripura, New Secretariat Complex, Agartala, Tripura.
- 4. The Controller of Examination,**
Teacher's Recruitment Board Tripura(TRBT),
Education(School) Department, Government of Tripura,
Shiksha Bhavan, Office Lane, Agartala, Tripura.
- 5. The Member Secretary,**
Teacher's Recruitment Board Tripura(TRBT),
Education (School) Department, Govt. of Tripura,
Shiksha Bhavan, Office Lane, Agartala, Tripura.

----Respondent(s)

For Petitioner(s)	:	Mr. Purusuttam Roy Barman, Sr. Adv, Ms. Aradhita Debbarma, Adv.
For Respondent(s)	:	Mr. Saktimoy Chakraborty, Adv. Gen., Mr. Dipankar Sarma, Addl. G.A., Ms. Pinki Chakraborty, Adv.

HON'BLE MR. JUSTICE BISWAJIT PALIT

Order

04/12/2025

Learned Senior Counsel Mr. Purusuttam Roy Barman
assisted by Learned Counsel Ms. Aradhita Debbarma is present on
behalf of the applicant.

Learned Advocate General, Mr. Saktimoy Chakraborty
assisted by Learned Counsel Ms. Pinki Chakraborty along with

Learned Addl. G.A. Mr. Dipankar Sarma is present on behalf of all the respondents.

At this stage Learned Senior Counsel for the applicant drawn the attention of the Court that the applicant has filed this writ petition against the respondents seeking certain reliefs for non-issuing of No Objection Certificate to appear in the selection test for the post of Graduate Teacher and Post-Graduate Teacher. According to Learned Senior Counsel, the PWD(R&B) by memorandum dated 01.02.2025(Annexure-1) issued Offer of Appointment for the post of Multi Tasking Staff(MTS), Group-D(Non-Technical) and in the said Offer of Appointment, it was mentioned by the respondents that the appointment was purely temporary in nature and will not confer any title to the permanent employment and the appointee may be terminated at any time by 1 month notice given by either side along with some other conditions. After that, the petitioner accepted the offer. Thereafter, by office order dated 24.02.2025 (Annexure-2) the applicant along with others were offered the post of Multi Tasking Staff(MTS), Group-D(Non-Technical) and accordingly the applicant accepted the appointment and joined in the service which was accepted by the concerned authority i.e. SDO, Dukli Sub-Division, PWD(R&B) by office order dated 25.02.2025(Annexure-3). After that, TRBT by a notification dated 18.08.2025(Annexure-4) invited online applications for the post of Post Graduate Teacher and by another notification dated 29.08.2025(Annexure-5) invited online application for the post of Graduate Teacher(STGT), 2025. As the applicant has got requisite qualification so by a letter dated 07.10.2025(Annexure-6) he approached for No Objection

Certificate to the Chief Engineer, PWD(R&B) for applying to the post of Post Graduate Teacher and also by another communication (Annexure-7) he applied to the authority for issuing No Objection Certificate for appearing for selection to the post of Graduate Teacher which were forwarded by the concerned Sub-Divisional Officer by letter dated 07.10.2025(Annexure-8) to Executive Engineer, Bishalgarh Division, PWD(R&B) but by a office order dated 12.11.2025(Annexure-9) the authority refused to issue No Objection Certificate on the ground that he has not completed one year continuous service in the Department from the date of joining. The applicant joined in the post of Multi Tasking Staff(MTS), Group-D(Non-Technical) in the forenoon of 25.02.2025 which was accepted by the authority on the same day. It was further submitted by Learned Senior Counsel that due to non-issuing of No Objection Certificate the applicant has been debarred from appearing in the selection test of Post Graduate Teacher and Graduate Teacher which is scheduled to be held on 07.12.2025 and 04.01.2026.

Learned Senior Counsel in course of hearing further submitted that for the similar nature of employees who have not completed one year of their continuous service in another department, the Directorate of Elementary Education vide memo date 12.09.2025 (Annexure-11) and the Directorate of Health Services by memo dated 24.09.2025 (Annexure-12) have granted "No Objection" in favour of those candidates and the applicant is on the same footing like those candidates as such he has filed this writ petition before this Court for issuing necessary direction upon the respondent-authority to issue appropriate No Objection

Certificate with a separate prayer for issuing provisional No Objection Certificate to enable the applicant to appear in the selection test for Graduate Teacher (For Class-IX-X) and Post Graduate Teacher(For Class-XI-XII) which is scheduled to be held on 07.12.2025 and 04.01.2026.

Learned Senior Counsel further submitted that the applicant has got a good *prima facie* case and if interim direction is not given then the applicant would be seriously prejudiced because similar other employees of the same nature were issued No Objection Certificate by their respective Departments. So, Learned Senior Counsel urged for granting interim relief.

To counter the submission made by Learned Senior Counsel for the applicant, Learned Advocate General appearing on behalf of the respondents submitted that the applicant has not completed one year of his continuous service. Although no separate reply in this regard is submitted by the respondents.

I have heard both the sides at length and perused the relevant papers.

On perusal of Annexure-11 and Annexure-12 i.e. the memo dated 12.09.2025 and 24.09.2025 issued by the Directorate of Elementary Education and Directorate of Health Services, it appears that similar nature of Multi Tasking Staff who were engaged in other departments having less than one year service were issued No Objection Certificate by the said Directorate to enable them to appear in the respective selection test for the post of Post Graduate Teacher and Graduate Teachers.

Thus, I find force to the submission made by Learned Senior Counsel for the applicant and to counter the submission,

the respondents-State could not place any material save and except the oral submission of performing less than one year continuous service.

Further, it is also on record that in the initial Offer of Appointment no such clause was mentioned by the respondent-Department that the concerned appointee should undergo atleast one year minimum service for seeking further better employment.

Situated thus, it appears to this Court that if interim protection is not given to the applicant at this stage then he would be prejudiced. As such, the present petitioner-applicant is hereby provisionally be allowed by the respondents to appear in the selection test of Post Graduate Teacher and Graduate Teacher which is scheduled to be held on 07.12.2025 and 04.01.2026 and this order shall be subject to the outcome of the final decision of the writ petition.

A copy of this order be communicated to Learned Senior Counsel for the petitioner in course of the day and also, a copy of this order be communicated to Learned Addl. G.A., Mr. D. Sarma.

With this observation, the present Interlocutory Application stands disposed of.

JUDGE