

CIVIL APPELLATE JURISDICTION
CIVIL APPEAL NO. 5826 OF 2009

INDIAN FOREST SERVICE ASSOCIATION REP.BY GENERAL SECRETARY
Appellant(s)

VERSUS

THE STATE OF TRIPURA & ORS. **Respondent(s)**

O R D E R

This appeal was adjourned on two occasions on the ground that Ms. Anitha Shenoy has been designated as a Senior Advocate and alternate arrangements has to be made. Learned counsel appearing on behalf of the appellant submits that attempts were made to contact the appellant.

Writ Petition No. 565 of 1999 was filed by the appellant-Association before the High Court of Assam, Nagaland, Meghalaya, Manipur, Tripura, Mizoram and Arunachal Pradesh, Agartala Bench challenging the Notifications issued by the State Government on 27.11.1998, 30.1.1999 and 12.4.1999.

The Notification dated 27.11.1998 relates to the priority seats for Indian Forest Service Officers in Indian Airlines Flights from Agartala to Kolkata.

By a Notification dated 30.1.1999 guidelines were issued by the State of Tripura regarding the accommodation entitlement in the Government Guest Houses/Bhawans outside Tripura.

The Notification dated 12.4.1999 pertains to the use of red lights on motor vehicles of State Government officers.

The learned single judge of the Guwahati High Court vide its judgment and order dated 11.02.2001 disposed of the Writ Petition and gave a direction to the State Government to re-issue the Notification dated 30.1.1999. The learned single judge was of the opinion that writ petitioners were entitled for parity with the other All India Services officers.

Challenging the said order passed in writ petition, The State Government filed Writ Appeal

bearing no. 151 of 2001 which was allowed by a Division Bench of the High Court by the impugned judgment.

On the issue of the Notification dated 12.4.1999, the Division Bench of the High Court was of the opinion that it is only an administrative order which did not warrant interference by the High Court in judicial review. This issue does not survive for consideration as the use of red light on cars has been regulated by the State Governments.

The Division Bench examined the Notification dated 27.11.1998 and found fault with the learned single Judge's interference with the Notification, in view of the increase in the number of flights from Agartala to rest of the country, the Division bench refused to pass any order in favour of appellant-Association. The appellant cannot have a grievance.

What remains to be considered by this Court is the Notification dated 30.1.1999 relating to the accommodation entitlement of Government officers in government Guest houses/bhawans outside Tripura.

Taking into account the limited availability of

VIP rooms and the fact that the members of the appellant-association do not have any legal right to claim a particular type of accommodation, we agree with the Division Bench that these are not matters within the scope of judicial review.

The appeal is disposed of accordingly.

.....J.
(L. NAGESWARA RAO)

.....J.
(R. SUBHASH REDDY)

NEW DELHI
FEBRUARY 19, 2020

ITEM NO.108

COURT NO.11

SECTION XIV-A

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Civil Appeal No(s). 5826/2009

INDIAN FOREST SERVICE ASSOCIATION REP.BY GENERAL SECRETARY
Appellant(s)

VERSUS

THE STATE OF TRIPURA & ORS.

Respondent(s)

Date : 19-02-2020 This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE L. NAGESWARA RAO
HON'BLE MR. JUSTICE R. SUBHASH REDDY

For Appellant(s) Ms. Srishti Agnihotri, Adv.
Ms. Anmol Gupta, Adv.

For Respondent(s) Mr. Shuvodeep Roy, AOR

UPON hearing the counsel the Court made the following
O R D E R

The appeal is disposed of in terms of the signed order.
Pending applications, if any, are disposed of.

(NEELAM GULATI)
AR-cum-PS

(ANAND PRAKASH)
BRANCH OFFICER

(Signed Order is placed on the file)