

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 SWRIT PETITION (CIVIL) Diary No(s). 10223/2024

ISMAIL MIAH &amp; ORS.

Petitioner(s)

VERSUS

STATE OF TRIPURA &amp; ORS.

Respondent(s)

(IA No. 90937/2024 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 90936/2024 - CONDONATION OF DELAY IN REFILEING/CURING THE DEFECTS, IA No. 90939/2024 - EXEMPTION FROM PAYING COURT FEE AND IA No. 90938/2024 - STAY APPLICATION)

Date : 26-06-2024 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ABHAY S. OKA  
HON'BLE MR. JUSTICE RAJESH BINDAL  
(VACATION BENCH)

For Petitioner(s) Ms. Vibha Datta Makhija, Sr. Adv.  
Mr. T.K. Nayak, Adv.  
Mr. Aaditya Mishra, Adv.  
Mr. K. Mamgin, Adv.  
Mr. Amrit Shah, Adv.  
Mr. Birajakanta Mahapatra, AOR

For Respondent(s)

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

Our attention is invited by the learned senior counsel appearing for the petitioners to an order dated 16<sup>th</sup> April, 2024 passed by this Court in SLP (C) No.269/2024. That is not a case where this Court has directly entertained a petition under Article 32 of the Constitution of India for challenging an order of termination.

The learned senior counsel appearing for the petitioners states that there is a batch of matters in which a notice has been

issued. However, it is not pointed out to us that this Court has entertained any petition under Article 32 of the Constitution for challenging the order of termination. Therefore, it is not possible to pass an order of tagging. *Prima facie*, it appears to us that the remedy of the petitioners is either to challenge the order of termination before the High Court or if an order of termination is passed on the basis of the order passed by this Court at Annexure P-8 to this Petition, there will be other remedy.

The learned senior counsel appearing for the petitioners seeks time to satisfy this Court on the issue of entertaining this Writ Petition under Article 32 of the Constitution. We may also note here that the impugned order is passed more than 07 years back.

The learned senior counsel appearing for the petitioners states that the petitioners were not terminated immediately.

List the matter after the Summer Vacation.

(ASHISH KONDLE)  
COURT MASTER (SH)

(AVGV RAMU)  
COURT MASTER (NSH)