
(2022) 11 TP CK 0024
In the Tripura High Court
Case No : Writ Petition (C) No. 428 Of 2021

Keshab Chandra Bhowmik

APPELLANT

Vs

State Of Tripura And 5 Ors

RESPONDENT

Date of Decision : 29-11-2022

Acts Referred:

Citation : (2022) 11 TP CK 0024

Hon'ble Judges : Arindam Lodh, J

Bench : Single Bench

Advocate : B. Banerjee, D. Bhattacharya, P. Saha

Final Decision : Dismissed

Judgement

Arindam Lodh, J

Heard Mr. B. Banerjee, learned counsel appearing for the petitioner. Also heard Mr. D. Bhattacharya, learned GA assisted by Mr. P. Saha, learned counsel appearing for the respondents-State.

The case of the petitioner is that though he has been appointed in the year 1989, his service has not been regularized. The petitioner submitted several representations to the concerned authority, but the same has not been considered.

After the case of Secretary, State of Karnataka & Ors. vs. Uma Devi & Ors reported in (2006) 4 SCC 1, a direction was issued upon the State Government to frame schemes for regularization of the irregularly appointed employees. The Government of Tripura had framed so many schemes after the judgment and the services of so many irregularly appointed employees had been regularized under those schemes. Though the service of the petitioner was not regularized, he never came forward to approach this Court and only in the year 2021 he approached this Court claiming regularization of his service.

In my opinion, the instant writ petition is badly barred by the doctrine of delay

and laches. Learned GA submits that all the schemes formulated to regularize the services of irregularly appointed employees have been withdrawn by the government in the year 2018 and at present there is no such scheme of regularization. Moreso, it is settled that none can claim regularization as a matter of right. It is a right, which may be considered in the realm of government policies.

In the backdrop of aforesaid situations, the instant writ petition stands dismissed. However, the respondents are directed to consider the representation of the petitioner for regularization within a period of 3 (three) months from today with a speaking order keeping in mind that the petitioner has been serving the State Government since last 22 years.