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**(2023) 02 TP CK 0008**  
**In the Tripura High Court**  
**Case No : Writ Petition (C) No. 766 Of 2022**

Sudipta Paul

APPELLANT

Vs

State Of Tripura And Others

RESPONDENT

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**Date of Decision :** 10-02-2023

**Acts Referred:**

Constitution Of India, 1949 — Article 226

**Citation :** (2023) 02 TP CK 0008

**Hon'ble Judges :** T. Amarnath Goud, J

**Bench :** Single Bench

**Advocate :** Samar Das, D. Bhattacharya, Kohinoor N Bhattacharjee

**Final Decision :** Disposed Of

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## Judgement

[1] Heard Mr. Samar Das, learned counsel appearing for the petitioner and also heard Mr. D. Bhattacharya, learned Government Advocate and Mr. Kohinoor N Bhattacharjee, learned counsel appearing for the respondents-State.

[2] The instant petition has been filed by the petitioner under Article 226 of the Constitution of India seeking for a direction to the respondents to provide employment to the petitioner under the die-in-harness scheme.

[3] The petitioner has prayed for the following reliefs :

“(a) Admit this petition;

(b) Call for records;

(c) Issue notice upon the respondents;

(iv) After hearing the parties issue writ in the nature of mandamus directing the respondents and each of them to provide a job under die-in-harness to the petitioner on the death of his father namely late Kartik Ch. Paul ex-chairman under the respondents.”

[4] Brief facts leading to this case are that the son of the deceased employee

who died on 24.07.2006 while serving as a Chairman under the Revenue Department, Government of Tripura, submitted application for compassionate appointment under the die-in-harness scheme and since the Government has not come to his rescue in providing him compassionate appointment under the die-in-harness scheme, he was left with no option but to approach this Court by filing this instant writ petition invoking the jurisdiction of this Court under Article 226 of the Constitution of India.

[5] Mr. Samar Das, learned counsel for the petitioner contends that the petitioner was dependent upon of his father (deceased employee) as he was the sole breadwinner of the family and till today no improvement has been made in the economic condition of the petitioner and further contends that it is a matter of hardship of any family when an existing right has been curtailed by the authority without any logical conclusion. On the other hand, Mr. Kohinoor N Bhattacharjee, learned counsel appearing on behalf of the State-respondents fairly submitted that the case may be considered, in accordance with law.

[6] After hearing learned counsel for the respective parties, this Court is of the considered view that withholding the compassionate appointment of the son of the deceased employee who died while in service on 24.07.2006 cannot be put on hold and he deserves consideration for compassionate appointment subject to his eligibility/qualification for appointment in Group-C or D, as the case may be.

Accordingly, the writ petition is disposed of directing the respondents to consider the case of the petitioner for compassionate appointment under the die-in-harness scheme, in accordance with law within a period of 3(three) months from the date of receipt of the copy of this order.

[7] With the above observation, the writ petition is disposed of.

Pending application(s), if any, also stands disposed of.