

Sri Priyankar Biswas vs The State Of Tripura on 22 May, 2026

TRHC010003782022

2026:THC:704

HIGH COURT OF TRIPURA
AGARTALA

W.P(C) No.196 of 2022
W.P(C) No.250 of 2022
W.P.(C) No.298 of 2022
W.P.(C) No.832 of 2022
W.P.(C) No.92 of 2025
W.P.(C) No.206 of 2025
W.P.(C) No.536 of 2025

In W.P(C) No.196 of 2022

1. Sri Priyankar Biswas
son of Sri Santiranjan Biswas, resident of village-Kalshi Mura,
P.O- Boxanagar, P.S- Sonamura, Sub-Division- Sonamura,
District- Sepahijala, PIN- 799102, aged about 23 years.
2. Sri Biswajit Sarkar,
son of Sri Jadu sarkar, resident of village- Bajal Ghat, P.O-
Fatick Charra, P.S- Fatick Charra, District- West Tripura, PIN-
799210, aged about 21 years.
3. Smt Soudamani Debnath,
daughter of Late Nani Gopal Debnath, resident of village-
North Maharani, P.O- Maharani, P.S- Udaipur, District-
Gomati Tripura, PIN- 799013, aged about 24 years.
4. Sri Kusijoy Reang,
son of Sri Rosa Kumar Reang, resident of village- Shivanagar
Para Piplacherra, P.O- Piplacherra, P.S- Dam Cherra, District-
North Tripura, PIN- 799256, aged about 22 years.
5. Sri Suken Debnath,
son of Sri Swapan Debnath, resident of village-
Laxmandhepa, P.O- Laxmandhepa, P.S- Melaghar, District-
Sepahijala, PIN- 799102, aged about 24 years.
6. Smt Priya Reang,
daughter of Sri Pran Kumar Reang, resident of village-
Tuisama, G.P- Ghilatali, P.O- Kanchanpur, P.S- Kanchanpur,
District- North Tripura, PIN- 799271, aged about 22 years.
7. Smt Puja Sen,
daughter of Sri Pijush Sen, resident of village- Mayachhari, P.O-
Ramdurlavpur, P.S- Kamalpur, District- Dhalai Tripura, PIN- 799285, aged
about 21 years.

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8. Sri Subhankar Pashi,
son of Sri Ramdeo Pashi, resident of village- Mayachari, P.O-
Mayachari, P.S- Kamalpur, District- Dhalai Tripura, PIN-
799285, aged about 22 years.

9. Sri Birajit Sarkar,
son of Sri Narayan Sarkar, resident of village- Pecharthal,
P.O- Pecharthal, P.S- Pecharthal, District- Unakoti Tripura,
PIN- 799263, aged about 21 years.

10. Sri Sourab Srakar,
son of Sri Sudhangsu Sarkar, resident of village- Gatacharra,
P.O- Pecharthal, P.S- Pecharthal, District- Unakoti Tripura,
PIN- 799263, aged about 22 years.

11. Sri Swarajit Rudra Paul,
son of Sri Bimal Rudra Paul, resident of village- East
Howaibari, P.O- Howaibari, P.S-Howaibari, District- Khowai
Tripura, PIN- 799205, aged about 22 years.

12. Sri Jainal Uddin,
son of Sri Muhir Uddin, resident of village- Halahali, P.O-
Halahali, P.S- Halahali, District- Dhalai Tripura, PIN- 799003,
aged about 24 years.

13. Sri Subrata Mandal,
son of Sri Matilal Mandal, resident of village- Baluchara, P.O-
Baluchara, P.S- Teliamura, District- Khowai Tripura, PIN-
799205, aged about 22 years.

14. Sri Sukanta Pal,
son of Sri Jawahar Lal Pal, resident of village- Jashmura, P.O-
Abhoyganj Bazar, P.S- Rajnagar, District- South Tripura, PIN-
799155, aged about 23 years.

15. Sri Prasanta Sarkar,
son of Sri Santosh Sarkar, resident of village- South
Badharghat, P.O- Charipara, P.S- Amtalai, District- West
Tripura, PIN- 799003, aged about 23 years

16. Sri Sujit Sarkar,
son of Sri Ranjit Sarkar, resident of village- Damdamia, P.O-
Lembucherra, P.S- Lefunga, District- West Tripura, PIN-
799210, aged about 20 years.

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17. Sri Subrata Rudra Paul,
son of Sri Subhash Rudra Paul, resident of village- Belabor,
P.O- S.D. Mission, P.S- Amtali, District- West Tripura, PIN-
799003, aged about 22 years.
 18. Sri Partha Bhowmik,
son of Sri Dilip Bhowmik, resident of village- Gopinagar, P.O-
Kalkalia, P.S- Bishalgarh, District- Sepahijala, PIN- 799102,
aged about 24 years.
 19. Sri Bipul Tripura,
son of Sri Rabindra Tripura, resident of village- Paschim
Kalabaria, P.O- Belonia, P.S- Maichara, District- South
Tripura, PIN- 799155, aged about 22 years.
 20. Sri Manish Banik,
son of Sri Nitai Banik, resident of village- Santirbazar, P.O-
Santirbazar, P.S- Santirbazar, District- South Tripura, PIN-
799144, aged about 21 years.
 21. Smt Suravi Dey,
daughter of Sri Samir Ranjan Dey, resident of village-
Champamura, P.O- Champamura, P.S- Bishalagarh, District-
Sepahijala, PIN- 799130, aged about 24 years.
 22. Sri Sagar Chandra Datta,
son of Sri Khokan Datta, resident of village- Ishan Chandra
Nagar, P.O- Ishan Chandra Nagar, P.S- Belonia, District-
South Tripura, PIN- 799155, aged about 25 years.
 23. Sri Karuna Rupini,
son of Sri Ananta Rupini, resident of village- Nitainagar, P.O-
Narendranagar, P.S- Damcherra, District- North Tripura, PIN-
799256, aged about 28 years.
 24. Sri Kshirud Rudra Paul,
son of Sri Kshitish Rudra Paul, resident of village- Tuichindrai,
P.O- Howaibari, P.S- Tuichindrai, District- Khowai Tripura,
PIN- 799205, aged about 23 years.
 25. Sri Surajit Debbarma,
son of Sri Mohan Debbarma, resident of village- Bidhya Manik
Para, P.O- Salimar, P.S- Kachuchara, District- Dhalai Tripura,
PIN- 799278, aged about 26 years.
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26. Sri Titan Pal,
son of Sri Dulal Pal, resident of village- Karaiyamura, P.O-
East Bagabasha, P.S- Radha Kishore Pur, District- Gomati

Tripura, PIN- 799114, aged about 21 years.

27. Sri Matilal Debbarma,
son of Sri Bimal Debbarma, resident of village- Jamthum,
P.O- Jamthum, P.S- Kachucherra, District- Dhalai, PIN-
799286, aged about 27 years.

28. Sri Ajoy Roy,
son of Sri Ranjit Roy, resident of village- Kalachara, P.O-
Bhuratali, P.S- Manubazar, District- South Tripura, PIN-
799143, aged about 21 years

29. Sri Rakesh Chandra Das,
son of Sri Dinesh Das, resident of village- Indira Nagar, P.O-
Gabtali, P.S- Belonia, District- South Tripura, PIN- 799157,
aged about 23 years.

30. Sri Bitan Barman,
son of Sri Rabindra Barman, resident of village- Bejimara,
P.O- Bejimara, P.S- Sonamura, District- Sepahijala Tripura,
PIN- 799131, aged about 28 years.

31. Sri Rajib Nama Das,
son of Sri Rakhal Nama Das, resident of village- Kalaban,
P.O- Kalaban, P.S- Radha Kishore Pur, District- Gomati
Tripura, PIN- 799125, aged about 27 years.

32. Sri Rakesh Debnath,
son of Sri Narayan Chandra Debnath, resident of village-
Bhatilarna, P.O- Purba Laxmi Bill, P.S- Bishalagarh, District-
Sepahijala Tripura, PIN- 799131, aged about 25 years.

33. Smt Aparna Chowdhury,
daughter of Sri Adhir Chowdhury, resident of village- South
Maheshpur, P.O- Kathalia, P.S- Jatrapur, District- Sepahijala
Tripura, PIN- 799132, aged about 25 years.

34. Sri Debashis Bhuiya,
son of Sri Santi Bhuiya, resident of village- Bara Bhaiya, P.O-
Bagma, P.S- Radha Kishore Pur, District- Gomati Tripura,
PIN- 799114, aged about 23 years.

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35. Sri Bapan Debnath,
son of Sri Arjun Debnath, resident of village- Purba Laxmi Bill,
P.O- Purba Laxmi Bill, P.S- Bishalgarh, District- Sepahijala
Tripura, PIN- 799102, aged about 22 years.

36. Sri Md. Jahir Hossain,
son of Sri Abul kalam, resident of village- Sonapur, P.O-

Rabindra Nagar, P.S- Sonamura, District- Sepahijala Tripura, PIN- 799131, aged about 23 years.

37. Smt Minakshi Majumder,
daughter of Sri Dilip Chandra Majumder, resident of village-
Gangacharra, P.O- Gangacharra, P.S- Kakraban, District-
Gomati Tripura, PIN- 799125, aged about 24 years.

38. Smt Lebi Rong Reang,
daughter of Sri Upendra Reang, resident of village- Garjee
Along Bari Para, P.O- Garjee, P.S- Radha Kishore Pur,
District- Gomati Tripura, PIN- 799125, aged about 24 years.

39. Smt Tepali Tripura,
daughter of Sri Sudharam Tripura, resident of village- New
Gonjalima, P.O- Ghorakappa, P.S- Silachari, District- Gomati
Tripura, PIN- 799104, aged about 22 years.

40. Smt Rinadevi Jamatia,
daughter of Sri Bijoy Singha Jamatia, resident of village-
Dakshin Maharani, P.O- Dakshin Maharani, P.S- Radha
Kishore Pur, District- Gomati Tripura, PIN- 799116, aged
about 25 years.

41. Sri Salman Kha
son of Sri Rafik Miah, resident of village- Gajaria Muslim Para,
P.O- A.D. Nagar, P.S- A.D. Nagar, District- West Tripura, PIN-
799003, aged about 21 years.

42. Sri Akash Sarkar,
son of Sri Sumanta Sarkar, resident of village- Bajal Ghat,
P.O- Fatik Cherra, P.S- Fatik Cherra, District- West Tripura,
PIN- 799210, aged about 22 years.

43. Sri Ajit Jamatia,
son of Sri Uttam Kumar Jamatia, resident of village- Tuitham
Pui Para, P.O- Khasiamangal, P.S- Teliamura, District-
Khowai Tripura, aged about 20 years.

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44. Smt Ripa Paul,
daughter of Sri Uttam Paul, resident of village- Noagaon, P.O-
Bamutia, P.S- Bamutia, District- West Tripura, PIN- 799211,
aged about 23 years.

45. Sri Sourav Sarkar,
son of Sri Rajkumar Sarkar, resident of village- Kalkalia, P.O-
Kalkalia, District- West Tripura, PIN- 799211, aged about 20
years.

46. Sri Shyamal Debbarma,
son of Sri Rajesh Debbarma, resident of village- Govinda
Sardar Para, P.O- Khashia Mangal, P.S- Teliamura, District-
Khowai Tripura, PIN- 799205, aged about 24 years.
47. Sri Prasenjit Biswas,
son of Sri Bivhu Biswas, resident of village-, P.O-, P.S-
Khowai, District- Khowai Tripura, PIN- 799205, aged about 28
years.
48. Sri Mantu Biswas,
son of Sri Chitta Biswas, resident of village- West Balucharai,
P.O- M.T. Para, P.S- Khowai, District- Khowai Tripura, PIN-
799205, aged about 28 years.
49. Sri Dwipan Ghosh,
son of Sri Dilip Ghosh, resident of village- Golabari, P.O-
Golabari, P.S- Khowai, District- Khowai Tripura, PIN- 799205,
aged about 21 years.
50. Sri Tadir Islam,
son of Sri Abu Taher, resident of village- Purba Chandigarh,
P.O- Chandigarh, P.S- Melaghar, District- Sepahijala Tripura,
PIN- 799115, aged about 25 years.
51. Sri Prasenjit Rudra Paul,
son of Sri Bimal Rudra Paul, resident of village- East
Howaibari, P.O- Howaibari, P.S- Khowai, District- Khowai
Tripura, PIN- 799205, aged about 23 years.
52. Sri Ainur Uddin,
son of Sri Baja Uddin, resident of village- Kuchainala, P.O-
Kamalpur, P.S- Kamalpur, District- Dhalai Tripura, PIN-
799285, aged about 23 years.
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53. Smt Menaka Jamatia,
daughter of Sri Bijoy Pada Jamatia, resident of village-
Darjeeling Tilla, P.O- Karailong, P.S- Teliamura, District-
Khowai Tripura, PIN- 799205, aged about 28 years.
54. Sri Pranab Das,
son of Sri Pradip Das, resident of village- South Ghilatali near
Rambabu Sampadak Para High School, G.P- Ghilatali, P.O-
Ghilatali Bazar, District- Khowai Tripura, PIN- 799203, aged
about 23 years.
55. Sri Nayan Debnath,
son of Sri Bijoykrishna Debnath, resident of village-
Jumerdhepa, P.O- Jumerdhepa, P.S- Melaghar, District-

Sepahijala Tripura, PIN- 799115, aged about 22 years.

56. Sri Sushanta Das,
son of Late Dinesh Das, resident of village- Kalshimura, P.O-
Boxanagar, P.S- Sonamura, District- Sepahijala Tripura, PIN-
799102, aged about 28 years.

57. Sri Ananta Kumar Laskar,
son of Sri Ratan Kumar Laskar, resident of village-
Champamura, P.O- Champamura, P.S- Bishalgarh, District-
Sepahijala Tripura, PIN- 799130, aged about 23 years.

58. Sri Chiranjit Shil,
son of Sri Mantu Chandra Shil, resident of village-
Champamura, P.O- Champamura, P.S- Bishalgarh, District-
Sepahijala Tripura, PIN- 799130, aged about 22 years.

59. Sri Gourav Sarkar,
son of Sri Subrata Sarkar, resident of village- Kashi Nath Pur,
P.O- Khashia Mangal, P.S- Teliamura, District- Khowai
Tripura, PIN- 799205, aged about 22 years.

... Petitioner(s)

-Versus-

1. The State of Tripura
represented by the Commissioner and Secretary, Home
Department, Government of Tripura, having his office at
Secretariat Building, P.O- Kunjaban, P.S- New Capital
Complex, District - West Tripura, Pin - 799006.

2. The Commissioner and Secretary, Home
Government of Tripura, having his office at Secretariat
Building, P.O- Kunjaban, P.S- New Capital Complex, District -
West Tripura, Pin- 799006.

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3. The Director General of Police,
Government of Tripura, having his office at Fire Service
Chowmuhani, P.O- Agartala, P.S- West Agartala, District -
West Tripura, Pin - 799001

4. The Commandant, SAF,
Member of TSR Recruitment Board, Government of Tripura,
having his office at Fire Service Chowmuhani, P.O- Agartala,
P.S- West Agartala, District - West Tripura, Pin - 799001

5.Smt. Manisa Das,
daughter of Asish Kumar Das

6.Smt. Mwtai Jamatia,
daughter of Pran Mohan Jamatia

Sri Dipankar Bhowmik S/O- Sri. Swapan Bhowmik, Presently residing at C/O Mr. Tinu Debbarma, Lake Chowmuhani, Krishnanagar, Supari Bagan, Agartala, Tripura, PIN - 799001 Permanent Resident of Village and PO - Srinagar, P.S- Manubazar, District - South Tripura, Tripura, PIN - 799143 Petitioner (s)

-V e r s u s-

1. The State of Tripura represented by the Secretary, Department of Home Affairs, Government of Tripura, New Capital Complex, P.O- Kunjaban, P.S New Capital Complex, District - West Tripura.
2. The Department of Police represented by its Director General of Police, Police Headquarter, Fire Brigade Chowmuhani, Agartala, West Tripura.
3. The Director General of Police Tripura Police Head Quarters, Fire Brigade Chowmuhani, P.O- Agartala, Tripura, West PIN - 799001
4. The Recruitment Board (Inside) of Enrolled Followers Tripura State Rifles represented by its Chairman, having their Office at 11th BN, TSR, Gokulnagar, Bishalgarh, Sepahijala.
5. The Chairman The Recruitment Board (Inside) of Enrolled Followers, Tripura State Rifles, having his office at 11th BN, TSR , Gokulnagar, Bishalgarh, Sepahijala.
6. Sri. Jayanta Sarkar, Son of Sri. Jhutan Sarkar
7. Sri. Asikh Das Son of Nandan Das
8. Sri. Tutan Das son of Narayan Das
9. Sri. Sanjoy Malakar, Son of Nikhil Malakar.
10. Sri. Abhijit Biswas Son of Sishu Ranjan Biswas
11. Sri Dipak Das Son of Girindra Das
12. Sri. Biswajit Das Son of Bibhishan Das
13. Sri. Asish Das Son of Arjun Das
14. Sri. Dip Das Son of Lt. Dipankar Das
15. Sri. Rubal Das Son of Sunil Das

16. Sri Sagar Das Son of Subrata Das
17. Sri Rakesh Das Son of Nilesh Chandra Das
18. Sri. Bijoy Das Son of Babul Das
19. Sri Zomawia Darlong Son of Darhminga Darlong
20. Sri Pankaj Das Son of Dipal Das
21. Sri Swagatam Das Son of Paban Das
22. Sri Bapan Chandra Das Son of Bishu Chandra Das
23. Sri Amal Das Son of Bhulu Das
24. Sri Newtan Das Son of Nipendra Das
25. Sri Palash Das Son of Animesh Das
26. Sri Papu Sukla Das Son of Narayan Sukla Das
27. Sri Litan Das Son of Jaharlal Das
28. Sri Pritam Das Son of Prahalad Das
29. Sri Chinmoy Das Son of Sri Chitta Ranjan Das
30. Sri Pranesh Podder Son of Mantu Poddar
31. Sri Bijoy Sarkar Son of Lt. Sanjit Sarkar
32. Santosh Das Son of Dulal Das
33. Sri Ajoy Marak Son of Raju Marak
34. Sri Jagannath Das Son of Nimai Das
35. Sri Sanjoy Das son of Satya Ranjan Das
36. Sri Pulak Mallik Son of Partha Ranjan Mallik
37. Sri Sagar Das Son of Subhash Ch Das

38. Sri Biplab Mitra Son of Gopal Mitra
39. Sri Ranjit Sarkar Son of Haripada Sarkar
40. Sri Deep Das Son of Krishna Kumar Das
41. Sri Sagar Chandra Das Son of Mantu Chandra Das
42. Sri Rajesh Das Son of Lt. Basudeb Das
43. Sri Shantu Das Son of Sukumar Das
44. Sri Surajit Halder Son of Pratikul Halder
45. Sri Bapan Das Son of Tapan Das
46. Sri Aniket Jamatia Son of Bhuban Mohan Jamatia
47. Sri Rowhan Biswas Son of Lt Santosh Biswas
48. Sri Sukanta Mali, Son of Chandan Mali
49. Sri Sukanta Das, Son of Lt. Jahar Lal Das
50. Sri Subrata Das Son of Premjit Das
51. Sri Alok Malakar, Son of Ranjit Malakar
52. Sri Jhutan Das Son of Ranjit Das
53. Sri Jyotimoy Chakma Son of Moni Chakma
54. Sri Rajib Das Son of Amarendra Das
55. Sri Babul Sarkar Son of Lt. Nipesh Sarkar
56. Sri.. Sourav Das Son of Phani Bhusan Das
57. Sri Chiranjit Das Son of Debal Chandra Das
58. Sri Raju Tripura Son of Shib Charan Tripura [
59. Sri Milton Malakar Son of Gopiranjana Malakar.

Respondent Nos.6 to 59 are to be served through the Office of Director General of Police, Police headquarter, Fire Brigade Chowmuhani, Agartala, West Tripura.

..... Respondent(s)

1. Sri Kalyanbrata Bhadra son of Sri. Sujit Bhadra, resident of village - Nehal Chandra Nagar, P.O- Nehal Chandra Nagar, P.S - Bishalgarh, Sub- Division - Bishalgarh, District - Sepahijala, PIN - 799102, aged about 23 years
2. Sri. Dipankar Roy, son of Sri Ashish Kumar Roy, resident of village - Raghunathpur, P.O - Bishalgarh, P.S - Bishalgarh, Sub- Division - Bishalgarh, District - Sepahijala, PIN - 799102, aged about 23 years.

..... Petitioner (s)

-Versus-

1. The State of Tripura represented by the Commissioner and Secretary, Home Department, Government of Tripura, having his office at Secretariat Building, P.O- Kunjaban, P.S - New Capital Complex, District - West Tripura, Pin - 799006
2. The Commissioner and Secretary, Home Government of Tripura, having his office at Secretariat Building, P.O- Kunjaban, P.S - New Capital Complex, District West Tripura, Pin - 799006
3. The Director General of Police Government of Tripura, having his office at Fire Service Chowmuhani, P.O. Agartala, P.S. West Agartala, District- West Tripura, Pin-799001
4. The Commandant, SAF Member of TSR Recruitment Board, Government of Tripura, having his office at Fire Service Chowmuhani, P.O- Agartala, P.S - West Agartala, District - West Tripura, Pin - 799001
5. Sourav Das son of Subal Das
6. Amit Kumar Das son of Gopal Chandra Das
7. Ratan Das son of Swadesh Das
8. Santanu Das son of Sunil Das
9. Jayanta Das son of Mintu Das
10. Sankar Nama son of Lt. Subal Ch Nama
11. Mitran Das Son of Sasanka Das

12. Ashis Das son of Kshitish Das

13. Avijit Biswas son of Biplab Biswas

14. Miltan Das Son of Lt. Manoranjan Das, Addresses of the said respondents No.5 to 14 are not known to the petitioners, and hence, Notices upon them may be served, through the Director General of Police, Government of Tripura, having his office at Fire Services Chowmuhani, P.O- Agartala, P.S - West Agartala, District - West Tripura, Pin - 799001 Respondent(s) Sri Partha Baidya son of Sri Ratan Baidya, resident of village and P.O- Uttar Sonaichari, P.S- Belonia, Sub-Division- Belonia, District- South Tripura, PIN- 799155, aged about 25 years.

..... Petitioner (s)

-Versus-

1. The State of Tripura represented by the Commissioner and Secretary, Home Department, Government of Tripura, having his office at Secretariat Building, P.O- Kunjaban, P.S- New Capital Complex, District- West Tripura, Pin- 799006

2. The Commissioner and Secretary, Home Government of Tripura, having his office at Secretariat Building, P.O- Kunjaban, P.S- New Capital Complex, District- West Tripura, Pin- 799006.

3. The Director General of Police Government of Tripura, having his office at Fire Service Chowmuhani, P.O- Agartala, P.S- West Agartala, District- West Tripura, Pin- 799001

4. The Commandant, SAF, Member of TSR Recruitment Board Government of Tripura, having his office at Fire Service Chowmuhani, P.O- Agartala, P.S- West Agartala, District- West Tripura, Pin- 799001

5. Sourav Das son of Subal Das

6. Amit Kumar Das son of Gopal Chandra Das

7. Ratan Das son of Swadesh Das

8. Santanu Das son of Sunil Das

9. Jayanta Das son of Mintu Das

10. Sankar Nama son of Lt. Subal Ch Nama

11. Mitran Das son of Sasanka Das

12. Ashis Das son of Kshitish Das

13. Avijit Biswas son of Lt. Biplab Biswas

14. Milton Das son of Lt. Manoranjan Das, Address of the said respondent Nos. 5 to 14 are not known to the petitioner, and hence, Notices upon them may be served, through the Director General of Police, Government of Tripura, having his office at Fire Service Chowmuhani, P.O- Agartala, P.S- West Agartala, District- West Tripura, Pin- 799001 Respondent(s) Sri Rana Nath S/O- Sri Krishna Nath, Presently residing at Village and P.O- Srinagar, P.S- Manubazar, District- South Tripura, Tripura, PIN - 799143 Petitioner (s)

-Versus-

1. The State of Tripura represented by the Secretary, Department of Home Affairs, Government of Tripura, New Capital Complex, P.O- Kunjaban, P.S New Capital Complex, District - West Tripura.

2. The Department of Police represented by its Director General of Police, Police Headquarter, Fire Brigade Chowmuhani, Agartala, West Tripura.

3. The Director General of Police Tripura Police Head Quarters, Fire Brigade Chowmuhani, P.O- Agartala, Tripura, West, PIN - 799001

4. The Recruitment Board (Inside) of Enrolled Followers Tripura State Rifles represented by its Chairman, having their Office at 11th BN, TSR, Gokulnagar, Bishalgarh, Sepahijala.

5. The Chairman The Recruitment Board (Inside) of Enrolled Followers, Tripura State Rifles, having his office at 11th BN, TSR , Gokulnagar, Bishalgarh, Sepahijala.

..... Respondent(s) Sri Sourav Majumder Son of Sri Jiban Majumder, Presently residing at Village- Krishnanagar, P.O- Srinagar, P.S- Manubazar, District- South Tripura, Tripura, PIN- 799143 Petitioner (s)

-Versus-

1. The State of Tripura represented by the Secretary, Department of Home Affairs, Government of Tripura, New Capital Complex, P.O- Kunjaban, P.S New Capital Complex, District - West Tripura.

2. The Department of Police represented by its Director General of Police, Police Headquarter, Fire Brigade Chowmuhani, Agartala, West Tripura.

3. The Director General of Police Tripura Police Head Quarters, Fire Brigade Chowmuhani, P.O- Agartala, Tripura, West PIN - 799001

4. The Recruitment Board (Inside) of Enrolled Followers Tripura State Rifles represented by its Chairman, having their Office at 11th BN, TSR, Gokulnagar, Bishalgarh, Sepahijala.

5. The Chairman The Recruitment Board (Inside) of Enrolled Followers, Tripura State Rifles, having his office at 11th BN, TSR , Gokulnagar, Bishalgarh, Sepahijala.

..... Respondent(s) Sri Chiranjit Nath, Son of Sri Jadu Gopal Nath, presently residing at village-Dukhini Para, NCC Road, Dakshin Srinagar, P.O. Srinagar, P.S. Manubazar, District- South Tripura, PIN-799143 Petitioner (s)

-Versus-

1. The State of Tripura represented by the Secretary, Department of Home Affairs, Government of Tripura, New Capital Complex, P.O- Kunjaban, P.S New Capital Complex, District - West Tripura.

2. The Department of Police represented by its Director General of Police, Police Headquarter, Fire Brigade Chowmuhani, Agartala, West Tripura.

3. The Director General of Police Tripura Police Head Quarters, Fire Brigade Chowmuhani, P.O- Agartala, Tripura, West PIN - 799001

4. The Recruitment Board (Inside) of Enrolled Followers Tripura State Rifles represented by its Chairman, having their Office at 11th BN, TSR, Gokulnagar, Bishalgarh, Sepahijala.

5. The Chairman The Recruitment Board (Inside) of Enrolled Followers, Tripura State Rifles, having his office at 11th BN, TSR , Gokulnagar, Bishalgarh, Sepahijala.

..... Respondent(s) For the petitioner(s) : Mr. S. Deb, Sr. Adv.

Mr. Abir Baran, Adv.

Ms. R. Guha, Adv.

Mr. M. Debnath, Adv.

Mr. S. Bhowmik, Adv.

Ms. D. Chakraborty, Adv.

For the respondent(s) : Mr. S.M. Chakraborty, Advocate General Mr. D. Sarma, Addl. G.A. Mr. K. De, Addl. G.A. Mr. R. Saha, Adv.

Ms. P. Chakraborty, Adv.

Date of hearing : 03.04.2026

Date of delivery of judgment and order : 22.05.2026

Whether fit for reporting : Yes No

HON'BLE MR. JUSTICE S. DATTA PURKAYASTHA JUDGMENT & ORDER Common facts and issues being involved, all these writ petitions were heard together and are being disposed of by this common judgment.

[2] An advertisement dated 07.03.2019 [Annexure-1 of W.P.(C) 196 of 2022] was issued by the Assistant Inspector General of Police(TSR) for Director General of Police, Tripura for filling up of the posts of Riflemen (GD) and Rifleman (Tradesmen), both for male and female, for raising of 2 IR Battalions for both „Inside State quota and „Outside State quota . Inside State quota is meant for the candidates who are residents of Tripura and Outside State quota is meant for candidates other than the residents of Tripura.

[3] The number of vacancies to be filled through the said selection process was 1013 against the post of Riflemen (GD) for inside State quota and 337 for said post against outside State quota. The relevant portion of said advertisement indicating the posts for reserved category of candidates are as follows:

Number of vacancies of Riflemen (General Duty (Male & Female) inside State quota:

Name of posts Category wise vacancy position SC ST UR Total Riflemen(General Duty) 230 418 365 1013 Number of vacancies of Riflemen (General Duty)(Male & Female) inside State quota:

Name of Posts Vacancy against UR category [4] The main challenges of the writ petitioners are two-folds as submitted by the learned counsel of the petitioners. Learned senior counsel, Mr. Somik Deb and learned counsel, Ms. R. Guha for the petitioners first raise the issue that 17% cap of reservation for the Scheduled Castes candidates and 31% cap of reservation for the Scheduled Tribe candidates were not scrupulously maintained in respect of the posts earmarked under inside State quota, which violates the provisions of Section 4(1) of Tripura Scheduled Castes and Scheduled Tribes Reservation Act, 1991 (for short- the Reservation Act). According to them, where against the total vacant posts under the said quota as shown in the advertisement is 1013, 230 numbers of posts (22%) are kept reserved for SC candidates and 418 posts (41%) are kept reserved for ST candidates, total of which comes to 63% or so, and therefore, same has exceeded the upper limit of total 48% (17% for SC candidates and 31% for ST candidates to the maximum extent) as envisaged in Section 4 of the Reservation Act. These posts were created, submits Mr. Deb, for 2 newly created battalions of TSR and therefore, the rule of carry forward method cannot be applied here and moreover, the respondents also did not claim that carry forward method was applied in this selection process. Therefore, according

to learned counsel, Section 4(1) of the said Act of 1991 has been blatantly violated by the recruiting authority by extending the benefit of reservation beyond the upper ceiling limit, which ultimately has violated the Articles 14 and 16 of the Constitution of India. [5] The next point, the learned senior counsel argues, is that against Sl. No.4 in the said advertisement, a stipulation has been made that the candidates those who are permanent residents of Tripura can only apply for such post only through a particular centre/venue as stipulated in the advertisement in the following manner:

VENUES FOR RECRUITMENT FROM INSIDE STATE(MALE & FEMALE) Sl.No.
Venues For candidates residing under jurisdiction of Police Station 01 Regional Institute, Dharmanagar, Churaibari, Damcherra, Khedacherra, Physical Education centre Kanchanpur, Kadamtala, Panisagr, Vangmun, Ananda Panisagar ground, North bazaar, Kailashahar, Kumarghat, Pecharthal, Fatikroy, District Irani PS. 02 Kulai School Ground, Ambassa, Chawmanu, Dhumacherra, Gandacherra, Ambassa, Dhalai District Ganganagar, Kamalpur, Kachucherra, Chailengta, Manu, Nepal tilla, Raisyabari, Salema Manikpur 03 A.D. Nagar Police ground, East Agt, West Agt Airport, Amtali, Bodhjang nagar, Agartala, West Tripura Jirania, Lefunga, Mandai, Ranirbazar, Radhapur, Sidhai, Srinagar, Bishalgarh, Bishramganj, Takarjala, Khowai, Champahaour, Kalyanpur, Mungiakami, Teliamura, Jampuijala, Madhupur , A.D.Nagar, New Capital Complex.

04 K.B.I. Ground, Udaipur, Birganj, Korbook, Kakraban, Killa, Nutan Bazaar, Gomati District. R.K.Pur, Taidu, Ompi, Belonia, Baikhora, Manubazar, P.R.Bari, Sabroom, Silachari, Kalamcherra, Melaghar, Jatrapur, Sonamura, Santirbazar.

"

[6] According to learned senior counsel, Mr. Deb, imposing such stipulation regarding centre/venue limiting a candidate of his choice in respect of place of submission of his application form has curtailed his right of choice to apply from any other place. According to learned senior counsel, there are many candidates who for different purposes are residing in different parts of state of Tripura and it is their right to apply from any such place as per their own convenience and comfort and such rights cannot be restricted in this way.

[7] Regarding the first point of his challenge, learned senior counsel also relies on a decision of Hon ble Supreme Court in the case of Indra Sawhney and Others vs. Union of India and Others; (1992) Supp. (3) SCC 217, and relevant portion of paragraph no. 860, as relied on, is extracted hereunder:

"860. For the sake of ready reference, we also record our answers to questions as framed by the counsel for the parties and set out in para 681. Our answers question-wise are:

(1)

(2)

(3)

(4) The reservations contemplated in Clause (4) of Article 16 should not exceed 50%. While 50% shall be the rule, it is necessary not to put out of consideration certain extraordinary situations inherent in the great diversity of this country and the people. It might happen that in far-flung and remote areas the population inhabiting those areas might, on account of their being out of the main-stream of national life and in view of the conditions peculiar to and characteristic of them need to be treated in a different way, some relaxation in this strict rule may become imperative. In doing so, extreme caution is to be exercised and a special case made out.

For applying this rule, the reservations should not exceed 50% of the appointments in a grade, cadre or service in any given year. Reservation can be made in a service or category only when the State is satisfied that representation of backward class of citizens therein is not adequate. To the extent, T. Devadasan vs. Union of India, (1964) 4 SCR 680 is inconsistent herewith, it is over-ruled.

(5)

(6)

(7) (8)" [8] Learned senior counsel also relies on another decision of Hon ble Supreme Court in the case of Tripurari Sharan and Another vs. Ranjit Kumar Yadav and Others; (2018) 2 SCC 656, wherein at paragraph no.11 also said principle regarding maximum cap was reiterated in the following manner:

"11. This court has repeatedly, including the judgment in the case of Indra Sawhney (supra), concluded that the aggregate reservation should not exceed 50%. Therefore, even when a MRC opts for a seat reserved for reserved category candidates, caution has to be exercised to maintain the reservation to 50%. So also it is not open for the authorities to deny a MRC a seat in the college of his preference based on his merit, if such seat is available at the relevant point of time and the same is reserved for candidates of the reserved category to which the MRC belongs....."

[9] Learned senior counsel further relies on another Constitution Bench decision of Hon ble Supreme Court in the case of Dr. Jaishri Laxmanrao Patil vs. Chief Minister and Others; (2021) 8 SCC 1 wherein at Paragraph no.409, Hon ble Supreme Court observes that Judgment of Indra Sawhney (supra) was being followed for more than a quarter century without there being any doubt raised in any of the judgments about the 50% cap and the said rule has been repeatedly followed. Further, in the concluding part of the judgment, at paragraph No.688.1.1, it is observed that reservation under Article 16(4) should not exceed 50% and at paragraph No.688.1.2 it is further observed that for exceeding reservation beyond 50%, extraordinary circumstances as indicated in para 810 of Indra Sawhney (supra) should exist for which extreme caution is to be exercised. At

paragraph No. 688.9 it is again observed that the Constitution (Eighty- first Amendment) Act, 2000 by which clause (4-B) was inserted in Article 16 makes it clear that ceiling of 50% "has now received constitutional recognition".

[10] Learned senior counsel, Mr. Deb also relies on the decision of this Court in the case of Kinkar Bhowmik vs. State of Tripura and Ors., WP(C) 264 of 2024 decided on 12.8.2025, wherein at Para No.23, the following were observed:

"[23] On plain reading of sub-section(1) of Section 4 of the said Act, it appears that reservation for the Scheduled Castes and the Scheduled Tribes in any vacancy in services or posts in an establishment (emphasis laid) which are to be filled up by direct recruitment shall be regulated in the manner as prescribed in the said provision and also as set out in the schedule of the Act. Further Section 2(e) defines the word „establishment to be any office (emphasis laid), a local or statutory authority constituted under the Constitution of India or any other law for the time being in force or a Corporation in which not less than fifty one percent of the paid-up share capital is held by the State Government etc."

Same principle was further followed by this Bench in its Judgment dated 20.08.2025 in the case of Shri Abhijit Das vs. State of Tripura and Ors., WP(C) No.77 of 2025. [11] Mr. Deb, learned senior counsel to give stress in the matter of 50% reservation to the maximum extent, also relies on a decision of the High Court of Orissa in the case of Dr. Arabinda Panda & Ors. vs. State of Odisha & Ors., WP(C) No.13778 of 2025, decided on 17.03.2026, wherein the High Court found fault with an advertisement issued for filling up the posts of Medical Officers and it was noticed by the High Court that the number of vacancies kept reserved for SC & ST category of candidates were in violation of Article 16(4-B) of the Constitution of India by exceeding the maximum cap to be maintained for reserved category of candidates. Ultimately, the High Court allowed the writ petition, and it was directed that only 411 posts were advertised for the UR category, so from the reserved category also maximum 411 number of candidates may be proportionately absorbed, considering the serious crunch or dearth of Medical Officers. [12] Learned counsel, Ms. R. Guha, in addition to what Mr. Deb, learned senior counsel has submitted and further taking note of excess reservation for ST and SC category of candidates, submits that apart from violation of Articles 14 and 16, such procedure, as adopted by the selection committee, has also violated Article 19(1)(g) and Article 21 of the Constitution.

[13] Mr. S.M. Chakraborty, learned Advocate General appearing for the state-respondents, however, submits that the petitioners are trying to create a division between the same category of posts, i.e., Riflemen (GD), by creating an artificial differentiation of said post between „within-State quota category and an „outside-State quota category, though, according to him, both the categories are to be taken into consideration as a single unit and as a common post of Riflemen (GD). Learned Advocate General, also referring to sub-clauses No.2 & 3 of the advertisement, submits that the total numbers of posts of Riflemen (General Duty) were 1350, out of which against inside-State quota, there were total 1013 posts and against outside- State quota, there were 337 posts which were required to be filled up. If the total vacant posts both under inside-State quota and outside-State quota are taken

into consideration as a single unit, it will be found that the total number of posts of Riflemen (General Duty) (Male and Female) was 1350, out of which 702 posts were kept for UR category, 229.5 say 230 (17%) were kept for SC category and 418 (31%) posts were kept for ST category. Therefore, there was no violation of Section 4 of the Reservation Act of 1991, by the recruiting authority. [14] Learned Advocate General further submits that the petitioners participated throughout in the selection process and only at the viva-voce stage, they were unsuccessful. When they participated in said process without challenging the advertisement at that time, they cannot now raise any question regarding said advertisement just because they could not qualify themselves in the selection process. [15] Learned Advocate General also relies on a decision of the Hon ble Supreme Court in case of R.K. Sabharwal & Ors. vs. State of Punjab & Ors., (1995) 2 SCC 745, wherein, at paragraph No.6, it has been explained by the Hon ble Supreme Court that „Vacancy means an unoccupied post or office and the plain meaning of the two expressions makes it clear that there must be a „post in existence to enable the „vacancy to occur. According to Learned Advocate General, there was only one single identifiable post which was Riflemen (General Duty) which may further be evident from clause No.8 of the advertisement which envisaged a common test for selection of the said category of post. Therefore, the related law of reservation was completely followed by the department while issuing the advertisement and going for selection process of filling up said post. Learned Advocate General further submits that already many persons are selected and they have also joined the service and, therefore, reversal or quashing of the entire selection process will have a disastrous effect in their selection.

[16] Mr. Deb, learned senior counsel in reply, submits that exceeding maximum cap for reserved category candidates itself violates Articles 14 & 16 of the Constitution which is a fundamental right of the petitioners and, therefore, in case of such violation, the principle of estoppel will not be applicable. Learned senior counsel on this point also relies on a decision of the Honble Supreme Court (3 Judges Bench) in the case of Raj Kumar & Ors. vs. Shakti Raj & Ors., (1997) 9 SCC 527, and in paragraph No.16, the followings were observed by the Apex Court:

16. Yet another circumstance is that the Government had not taken out the posts from the purview of the Board, but after the examinations were conducted under the 1955 Rules and after the results were announced, it exercised the power under the proviso to para 6 of 1970 Notification and the posts were taken out from the purview thereof. Thereafter the Selection Committee was constituted for selection of the candidates. The entire procedure is also obviously illegal. It is true, as contended by Shri Madhava Reddy, that this Court in Madan Lal v. State of J&K, (1995) 3 SCC 486, and other decisions referred therein had held that a candidate having taken a chance to appear in an interview and having remained unsuccessful, cannot turn round and challenge either the constitution of the Selection Board or the method of selection as being illegal; he is estopped to question the correctness of the selection. But in his case, the Government have committed glaring illegalities in the procedure to get the candidates for examination under the 1955 Rules, so also in the method of selection and exercise of the power in taking out from the purview of the Board and also conduct of the selection in accordance with the Rules. Therefore, the principle of estoppels by conduct or acquiescence has no application to the facts in this case.

Thus, we consider that the procedure offered under the 1955 Rules adopted by the Government or the Committee as well as the action taken by the Government are not correct in law.

[17] Learned senior counsel also submits that the Riflemen (General Duty) (Male & Female) under inside-State quota and Riflemen (General Duty) (Male & Female) under outside-State quota cannot be treated as a single unit or single cadre inasmuch as the residents of Tripura cannot contest for the said post from outside-state quota. [18] This Court has considered the submissions of both sides and the materials placed by them. As per Tripura State Rifles Recruitment Rules, 1984 there are mentions of several categories of post in Tripura State Rifles, Inspector General being on the top and Enrolled Follower being on the bottom of the rank. Riflemen, Naib Subedar, Havildar, Naik, Lance Naik and Riflemen are shown as Non-Gazetted, Class-III post. The recruitment procedure for the post of Riflemen is contained in Rule 25 of the said rules and no separate division has been made therein in respect of the recruitment against „Inside State quota and „Outside State quota . Nothing could be shown from that Rules that selected candidates under „Inside State quota and „Outside State quota form different cadres or different posts. It appears that the post of „Riflemen is a common and a single cadre though selection of candidates may be made either from the State or from outside the State. It makes no difference as to where is the residence of the candidates. Ultimately, after selection all the successful candidates are to be appointed as Riflemen (GD). As per Rule 8 of the said Rules, the earlier provision was that 75% of direct recruitment in all ranks shall be made from within Tripura and the remaining 25% of such recruitment shall be made from States and Union Territories outside Tripura. Said provision was further amended vide Eighth Amendment Rules of 2010 envisaging that 85% of direct recruitment in all ranks shall be made from within Tripura and the remaining 15% of such direct recruitment shall be made from States and Union Territories outside Tripura. [19] When the advertisement was issued, two separate charts were reflected therein, as indicated earlier, showing the number of vacancies of the post of Riflemen GD [Male & Female] inside the State quota and the number of vacancies of Riflemen GD [Male & Female] outside the State quota. If both the charts are taken into consideration together, it is seen that total vacancy for the post of Riflemen (GD) (Male & Female) as mentioned therein is 1350 [1013+337]. Inside the State quota the recruitment authority divided 1013 number of posts in vertical reservation for UR, SC & ST category but the vacancy meant for outside State quota was only kept for UR category candidates. Whether such provision for SC & ST category candidates only against the vacancy of inside State quota is proper or not, is not under challenged in these writ petitions and therefore, same does not require any scrutiny. Now, what appears is that if only the vacancy position as shown for inside State quota is taken into consideration, the submission made from the side of the petitioners regarding violation of Section 4 of the Act of, 1991 appears to be attractive, but if the vacancy position as shown both for inside State quota and outside State quota are taken into consideration together, it appears that out of total 1350 posts, 230 posts i.e. 17.3% were kept reserved for SC candidates. Similarly, 418 posts i.e. 30.96% (say 31%) were kept reserved for ST category of candidates. As per Section 4(1) (a) of the Act of 1991, maximum 17% posts may be reserved for SC candidates and 31% posts may be reserved for ST candidates. Thus, if the vacancies meant for inside State quota and outside State quota are taken into consideration together, Section 4 of the said Act of 1991 appears to have been properly maintained by the Selection Committee. For better appreciation, sub Section 1 of Section 4 of the said Act of 1991 is also extracted hereunder:

"4. [(1) Reservation for the Scheduled Castes and the Scheduled Tribes in any vacancy or vacancies in services or posts in an establishment which are to be filled up by direct recruitment] shall be regulated in the following manner, namely -

[(a) There shall be seventeen percent reservation for the Scheduled Castes and thirty one percent reservation for the Scheduled Tribes in the manner as set out in the schedule;] [Provided that the State Government may from time to time review the implementation of the reservation policy and take adequate measures including increase of percentage mentioned in sub-section (a) above]

(b) The candidates belonging to the Scheduled Castes and the Scheduled Tribes who qualify for selection on merit shall be included in the general list and not against reserved quota;

(c) Fees, if any, prescribed for any examination for selection to any service or post shall be reduced to one-

fourth in the case of candidates belonging to the Scheduled Castes and the Scheduled Tribes;

(d) The members of the Scheduled Castes and the Scheduled Tribes shall be entitled to a concession of five years over the prescribed maximum age limit for appointment to any service or post. [and also for admission to educational institutions and undergoing any kind of training]"

(emphasis underscored) [20] Sub section 1 of Section 4 of Act of 1991 as reproduced hereinabove clearly envisages that such percentage of reservation for SC & ST candidates are to be determined in respect of any vacancy or vacancies in any service or post in any establishment. Therefore, such quota for reserved category of candidates is to be counted against the total vacancy of a particular post or service and not by making any further division in respect of any particular post by referring to inside State quota and outside State quota. Thus, according to this Court, no illegality or error is found committed by the recruiting authority in respect of computing of vacancies meant for reserved category candidates. Therefore, the challenge as made by the petitioners about alleged exceeding of maximum cap of 17% and 31% in the said advertisement against the post of Riflemen (GD) (Male & Female) is, therefore, not sustainable.

[21] In W.P.(C) No.250 of 2022 and some other writ petitions such as W.P.(C) 92 of 2025, W.P.(C) 206 of 2025 and W.P.(C) 536 of 2025, another plea is also taken by the petitioners that in the final merit list, 54 numbers of reserved category candidates were recommended illegally against UR category but such challenge is also not sustainable in view of provision of Clause (b) of sub Section 1 of Section 4 of the said Reservation Act of 1991 as cited earlier. Though it was also argued by Mr. Deb, learned senior counsel that specifying of venue for candidates of a particular area was illegal on the ground that the right of choice to apply from any other venue by a

candidate, was curtailed, but such contention is also not acceptable inasmuch as it is for the selection committee to devise their own procedure for determining the venue for collection of application and also for holding examination or test for a group or a class of candidates as per their own convenience and a candidate cannot grieve for that. Moreover, already the petitioners filed their applications through the respected venue as specified by the recruiting authority and participated in the selection process, therefore, they are also estopped from challenging the same now.

[22] Considering all these aspects, this Court finds no merit in these writ petitions. Accordingly, the same are dismissed.

No order as to costs.

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

JUDGE SUJAY GHOSH Digitally signed by SUJAY GHOSH Date: 2026.05.25
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