## HIGH COURT OF TRIPURA AGARTALA

WP(C) NO.735 OF 2018

### HON'BLE MR. JUSTICE ARINDAM LODH

#### **Present:**

For petitioner(s) : Mr. C.S. Sinha, Advocate

Ms. Swarupa Chisim, Advocate

For respondent(s) : Mr. M. Debbarma, Addl. G.A.

## ORDER

# 06/11/2019

Heard Mr. C.S. Sinha, learned counsel along with Ms. S. Chisim, learned counsel appearing for the petitioner as well as Mr. M. Debbarma, learned Addl. G.A. appearing for the State respondents.

It is submitted that the petitioner has already been retired from service. At the fag end of his service, the petitioner was issued with a Memo. dated 21.07.2018 asking him as to why he refused to comply with some orders mentioned in the said Memo. dated 21.07.2018. The petitioner, accordingly, submitted his reply, which is evident from his reply dated 27.07.2018. In the reply, it is stated that he could not comply those orders due to his illness. In support of that the petitioner also produced some medical prescriptions. Those prescriptions were sent to the Medical Board and those were examined by the said Board.

Mr. Sinha, learned counsel has submitted that the Medical Board after examining those prescriptions has made no adverse remark against the petitioner.

Mr. Debbarma, learned Addl. G.A. has submitted that there is nothing on record that the Medical Board has found that the prescriptions are in order.

I have also considered the fact that the petitioner has already been retired from service and no disciplinary proceeding was pending against the petitioner. It is also undisputed that the petitioner has not been paid one month's salary before the date of his retirement from service.

In my opinion, since the petitioner has retired from service and no disciplinary proceeding is pending against him, the pending one month's salary of the petitioner may be released in his favour.

Accordingly, it is directed that the respondents shall release one month's salary of the petitioner within a period of three months from the date of this order.

The writ petition stands disposed in the above terms.

सत्यमेव जयते

**JUDGE**