

**HIGH COURT OF TRIPURA
AGARTALA**

W.A. No.107 of 2025

1. The State of Tripura, represented by the Secretary, Home Department, Government of Tripura, New Secretariat Building, New Capital Complex, Kunjaban, P.S. New Capital Complex, Agartala, West Tripura, PIN:799 010.
2. The Secretary, Home Department, Government of Tripura, New Secretariat Building, New Capital Complex, Kunjaban, P.S.- New Capital Complex, Agartala, West Tripura, PIN-799 010.
3. The Director General of Police, Tripura, Office of the Director General of Police, Tripura, Fire Brigade Chowmuhani, Agartala, West Tripura, PIN:799 001
4. The Inspector General of Police, Office of the Director General of Police, Tripura, Fire Brigade Chowmuhani, Agartala, West Tripura, PIN:799 001
5. The Assistant Inspector General of Police (Establishment), Tripura, Office of the Director General of Police, Tripura, Fire Brigade Chowmuhani, Agartala, West Tripura, PIN:799 001
6. The Chairman, Selection Committee for Recruitment of Police Constable (Men & Women) in Tripura Police, notified vide Recruitment Notice dated 20.12.2022, Care of office of the Director General of Police, Tripura, Fire Brigade Chowmuhani, Agartala, West Tripura, PIN:799 001
7. The Principal, KTDS Police Training Academy, Narsingarh, West Tripura, PIN:799 015

..... Appellant(s).

V E R S U S

1. Tutan Debnath, Son of Late Gouranga Debnath, resident of Harimara, P.O. SD Mission, P.S. A.D Nagar, West Tripura, PIN:799 03
2. Amit Deb, Son of Sri Ashok Kumar Deb, resident of Ramsundar Nagar (Rajnagar), Agartala, West Tripura, PIN-799 001.
3. Tanbir Chowdhury, Son of Sri Nanu Chowdhury, resident of Ichamura, P.O. Mariamnagar, Agartala, West Tripura, PIN:799 008.
4. Abhijit Roy, Son of Late Narayan Chandra Roy, resident of Debnath Para, Maharaniapur, P.O. Chakmaghat, Teliamura, Khowai, Tripura, PIN:799 205.
5. Alamgir Hossain, Son of Abdul Munaf, resident of Kalsimura, Boxananagr, Sepahijala, Tripura, PIN:799 102
6. Prasenjit Sarkar, Son of Sri Jita Lal Sarkar, resident of Nehal Chandra Nagar, Bishalgarh, Tripura, PIN:799 100
7. Sujit Paul, Son of Sri Sudhan Paul, resident of Tulabagan, Uttar Debendranagar, Mohanpur, West Tripura, PIN:799 211
8. Rahul Miah, Son of Abdul Mannan Miah, resident of Belabar, P.O. SD Mission, P.S. Amtali, West Tripura, PIN:799 003

..... Respondent(s).

For Appellant(s) : Mr. Saktimoy Chakraborty, Adv. General.
Mr. Kohinoor N Bhattacharyya, G. A.

For Respondent(s) : Mr. Purusuttam Roy Barman, Sr. Adv.
Mr. Samarjit Bhattacharjee, Adv.
Mr. Kawsik Nath, Adv.
Ms. Aradhita Debbarma, Adv.

HON'BLE THE CHIEF JUSTICE MR. M.S. RAMACHANDRA RAO
HON'BLE MR. JUSTICE BISWAJIT PALIT

Date of hearing & judgment : **10.03.2026.**

Whether fit for reporting : **YES/NO**

JUDGMENT & ORDER (ORAL)

(M.S. Ramachandra Rao, C.J.)

This writ appeal is preferred against the judgment dt. 27.08.2025 of the learned Single Judge in WP(C) No.197 of 2025.

2. Heard Learned Advocate General for the appellants and Mr. P. Roy Barman, Learned Senior Counsel for the respondents.

3. The issue in this writ appeal is the entitlement of persons such as the respondents for 2% reservation on the ground that they were Civil Defence Personnel.

4. Admittedly, on 26.10.2013, the Home Department, Government of Tripura had issued a notification providing for such reservation in recruitment to the post of Constable in the Tripura Police with 2% quota for Civil Defence volunteers.

5. It is also not in dispute that the recruitment notice was issued by the appellants on 20.10.2022 for recruitment to the post of Constable (Men & Women) in the Tripura Police. It is stated therein that out of 1000 posts which were to be filled up, Civil Defence Personnel will also be considered in

accordance with orders and notifications issued by Government of Tripura from time to time.

6. Having regard to the said sentence in the recruitment notification, the appellants were bound to apply the notification dt. 26.10.2013 providing for 2% reservation for Civil Defence Personnel like the respondents i.e. the writ petitioners.

7. Notwithstanding such a provision in the notification dt. 26.10.2013 and in the recruitment notification dt. 20.12.2022, when the appellants did not give such 2% reservation, the respondents had approached this court by filing the above writ petition and the learned Single Judge held that the notification dt. 26.10.2013 issued by the Government of Tripura has not been repealed by the appellants at any subsequent stage; therefore it is still in force and validly existent; and since the said notification has not been withdrawn, 2% posts are required to be kept reserved for Civil Defence volunteers like the respondents herein. The learned Single Judge therefore held as under:

“[13] As a corollary, it is held that the benefit of such 2% reservation is required to be provided to the present petitioner Nos.1 to 7 in terms of the said notification dated 26.10.2013 [Annexure-4 of the writ petition].

[14] In view of above, the writ petition is allowed and is disposed of with a direction to the respondents to consider the case of the petitioner Nos.1 to 7 against 2% vacancy reserved for Civil Defence personnel in terms of the notification dated 26.10.2013 and to issue offer of appointment in favour of them within eight (8) weeks of receipt of copy of this order, provided that they have successfully qualified all the required tests/examinations in the recruitment process and they are otherwise not barred from getting the appointment.”

8. Challenging the same this writ appeal is filed.

9. Though the learned Advocate General sought to contend that there is no mention in the recruitment notice about specific percentage of reservation for Civil Defence Personnel, we do not accept the said submission in view of the sentence in the recruitment notification itself that the existing orders and notifications issued by Government of Tripura for Civil Defence Personnel etc. would be followed and the cases of such personnel will be considered in accordance with the notifications. So the appellants are bound by the notification dt. 26.10.2013 and give the 2% reservation to Civil Defence Personnel like respondents.

10. We therefore, do not find any merit in the writ appeal and accordingly it is dismissed with no costs.

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

(BISWAJIT PALIT, J)

(M.S. RAMACHANDRA RAO, CJ)

सत्यमेव जयते