

**HIGH COURT OF TRIPURA
AGARTALA
W.A. 61/2022**

The State of Tripura, represented by the Chief Secretary to the Government
of Tripura

----Appellant(s)

Versus

Sri Tarun Kumar Sinha

----Respondent(s)

For Appellant (s) : Mr. D. Bhattacharjee, GA
Mr. P. Saha, Advocate

For Respondent(s) : Ms. S. Deb (Gupta), Advocate

**HON'BLE THE CHIEF JUSTICE MR. APARESH KUMAR SINGH
HON'BLE MR. JUSTICE ARINDAM LODH**

Order

01/05/2023

The writ petition was for claim of enhanced gratuity at the ceiling of Rs. 20 lakh brought into effect by amendment in the Payment of Gratuity Act, w.e.f. 28.11.2018.

The writ petitioner admittedly was appointed as a retired Lower Division Clerk of the District Judiciary having superannuated on 31.03.2018 from the post of Head Clerk (Accountant). Though the learned Single Judge has taken reference of the enhanced ceiling of Rs. 20 lakh as per amendment in the Payment of Gratuity Act while recommending the State Government to revisit Rule 9 of the Tripura State Civil Services (Revised) Pension Rules, 2017, but learned counsel for both the parties admit or rather concede that Payment of Gratuity Act does not apply to the case of the writ petitioner. The gratuity made by the writ petitioner is to be determined as per the Service Rules with reference to the Pay Revision Commission recommendation of Shetty Commission approved by the Apex Court.

Learned counsel for the appellant, Mr. D. Bhattacharjee, seeks time to revisit the computation of the gratuity amount payable to the writ petitioner

in that light to which learned counsel for the writ petitioner does not have any objection.

Accordingly, the matter is adjourned for 2 (two) weeks.

List the matter on **15.05.2023**.

(ARINDAM LODH),J

(APARESH KUMAR SINGH), CJ

Saikat