

TRHC010014532026



**HIGH COURT OF TRIPURA
AGARTALA
WP(C)(PIL) No.04 of 2026**

Court on its own motion

V E R S U S

The Union of India & others

.....Respondent(s)

Court on its own motion: xxxx

For Respondent(s) : Mr. S.M Chakraborti, Advocate General,
Mr. Bidyut Majumder, Dy. S.G.I,
Mrs. Pinki Chakraborty, Advocate.

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

Order

09.09.2026

Perused the additional affidavit filed by the Under Secretary to the Government of Tripura in the School Education Department.

It is stated that 1116 PG teachers posts in various subjects had fallen vacant due to death, retirement, resignation and termination of services and that the Department has taken up the process for re-creation of these posts.

We fail to understand how the posts can lapse merely on account of retirement, resignation, death or termination of the services of the incumbent, and why there is a requirement to again re-create those posts. This exercise by the State Government is wholly unnecessary because the posts do not lapse merely because the incumbent dies, retires, resigns, or his services are terminated. We direct that the recruitment process for the 1116 vacant posts be commenced forthwith.

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As regards the Graduate Teacher posts, it is stated that the requisition had been given to the Teachers' Recruitment Board, Tripura on 05.07.2022 for recommendation of names of 230 eligible candidates though there were 2193 posts of Graduate Teachers which had fallen vacant due to retirement, resignation, death or termination of their services. Why such a small fraction of 2193 posts of Graduate Teachers alone are sought to be filled up is not explained. It is the duty of the respondents to fill up all those posts and not just a miniscule 230 vacant posts out of them.

That apart, it is stated that there is an SLP pending with regard to application of rule of reservation for filling these 230 vacancies of Graduate Teachers, in view of a direction issued by this court on 19.12.2022 in WP(C) No. 736/2022 being challenged in the Supreme Court.

But it is not the case of the respondents that there is any stay order granted by the Supreme court restraining filling up the posts pending consideration of the SLP.

Considering the fact that the children in the schools require these teachers, the respondents are directed to take a decision in this regard by the next date of hearing to appoint such persons in the Graduate Teacher posts, subject to the result in the SLP, so that the students may not suffer as already the academic year has advanced substantially.

It is further stated that the Department had created 700 new posts of Graduate Teacher and a requisition had been given to the Teachers' Recruitment Board, Tripura on 05.08.2025 and though the said Board had conducted the selection test on 14.02.2026 nothing has happened thereafter.

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We implead the Chairman, Teachers' Recruitment Board of Tripura, Shiksha Bhawan, Office Lane, Agartala, West Tripura *suo moto* as respondent No. 5 in this PIL. The said Board is directed to complete the process of filling up of the 700 posts at the earliest and shall file an affidavit of steps taken in that regard by the next date of hearing.

Coming to the vacant posts of Headmasters/Asst. Headmasters in Higher Secondary Schools, admittedly there are 162 vacant posts of Headmasters and 100 posts of Asst. Headmasters. In addition, there are 304 posts of Headmasters vacant in High Schools. The respondents are directed to fill up all these posts by following the applicable rules and shall file an affidavit as to the action taken with regard to this direction by the next date of hearing.

List this matter along with WP(C)(PIL) 09/2026 on 21.09.2026.

(BISWAJIT PALIT, J)

(M.S. RAMACHANDRA RAO, CJ)