

**HIGH COURT OF TRIPURA
AGARTALA**

WP(C) No.966/2022

Dr. Sandeep Roy Sarkar, S/O. Narayan Chandra Roy Sarkar, R/O. Chinaihani, Usha Bazar, (Near CPWD Office), P.O.:- Airport, Agartala, West Tripura, Age-39 years.

.....Petitioner(s).

V E R S U S

1. Tripura Public Service Commission (TPSC), To be represented by the Secretary, TPSC, Akhaura Road, Agartala, West Tripura, PIN:-799001.
2. The Secretary, Tripura Public Service Commission, Akhaura Road, Agartala, West Tripura, PIN:-799001.
3. The State of Tripura, To be represented by the Principal Secretary/ Commissioner, Department of Higher Education, Govt. of Tripura, New Secretariat Complex, Khejurbagan, P.S. New Capital Complex, Agartala, District:-West Tripura, PIN:-799010.
4. The Director, Department of Higher Education, Govt. of Tripura, Siksha Sadan, Office Lane, Agartala, West Agartala, PIN:-799001.
5. Dr. Nabamita Nath, D/O. Satyendra Kumar Nath, Assistant Professor, Department of Human Physiology, Netaji Subhash Mahavidyalaya, Udaipur, Gomati Tripura, P.O.-R.K. Pur, PIN-799114.
6. Dr. Satyapriya Roy, S/O. Milan Chandra Roy, Assistant Professor, Department of Human Physiology, Government Degree College, Kamalpur, Kamalpur, Dhalai Tripura, P.O.-Kamalpur, PIN-799255.
7. (Dr.) Dulal Chandra Ray, Former Dean & Head, Department of Ecology & Environment Science, Assam University, Silchar, Assam-788011.
8. Dr. Priyanka Gite, Professor, Faculty of Commerce, C 1/1 Jodhpur Colony, Benaras Hindu University, Varanasi-221005, Uttar Pradesh.
9. Dr. Ashutosh Kumar, Associate Professor, Department of History, Faculty of Social Sciences, Benaras Hindu University, Varanasi-221005, Uttar Pradesh.
10. Dr. Debraj Panigrahi, Associate Professor, Department of Sanskrit, Tripura University, Suryamaninagar-799022, West Tripura, Tripura.
11. Dr. Pritha Pandit Roy Chowdhury, Assistant Professor, Department of Political Science, Cooch Bihar College, Siliguri-734001, West Bengal.

(Notice to the Respondents Nos.5 to 11 be served through the O/o the Tripura Public Service Commission (TPSC), To be represented by the Secretary, TPSC, Akhaura Road, Agartala, West Tripura, PIN-799001)

.....Respondent(s).

For Petitioner(s)	: Mr. P. Roy Barman, Sr. Advocate, Mr. Samarjit Bhattacharjee, Advocate, Mr. Kawsik Nath, Advocate.
For Respondent(s)	: Mr. Debalay Bhattacharya, G.A., Mr. Somik Deb, Sr. Advocate, Mr. Arijit Bhaumik, Advocate, Mr. Raju Datta, Advocate, Mr. S. Dey, Advocate, Mr. Soumyadeep Saha, Advocate.

WP(C) No.967/2022

Dr. Shankha Subhra Bhadra, S/O. Lt. Dipak Lal Bhadra, R/O. Ramnagar Road No.-1, Bi Lane-1, P.O.:- Ramnagar, Agartala-799002, West Tripura, Age-38 years.

.....Petitioner(s).

V E R S U S

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4. The Director, Department of Higher Education, Govt. of Tripura, Siksha Sadan, Office Lane, Agartala, West Agartala, PIN:-799001.
5. Dr. Basudeb Bhattacharya, S/O. Bhakti Prasanna Bhattacharya, Assistant Professor, Department of Commerce, Dasaratha Deb Memorial College, Lalcherra, Khawai, Tripura, PIN-799202.
6. Dr. Sayan Saha, S/O. Narayan Chandra Saha, Assistant Professor, Department of Commerce, Ambedkar College, Fatikroy, Unakoti Tripura, PIN-799290.
7. (Dr.) Dulal Chandra Ray, Former Dean & Head, Department of Ecology & Environment Science, Assam University, Silchar, Assam-788011.
8. Dr. Priyanka Gite, Professor, Faculty of Commerce, C 1/1 Jodhpur Colony, Benaras Hindu University, Varanasi-221005, Uttar Pradesh.
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For Petitioner(s) : Mr. P. Roy Barman, Sr. Advocate,
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For Respondent(s) : Mr. Debalay Bhattacharya, G.A.,
Mr. S.M. Chakraborty, Sr. Advocate,
Mr. Somik Deb, Sr. Advocate,
Mr. Raju Datta, Advocate,
Mrs. P. Chakraborty, Advocate,
Ms. Ankita Pal, Advocate,
Mr. Soumyadeep Saha, Advocate.

HON'BLE THE CHIEF JUSTICE MR. APARESH KUMAR SINGH

Date of hearing and judgment: **04th August, 2023.**

Whether fit for reporting : **YES.**

JUDGMENT & ORDER(ORAL)

Heard Mr. P. Roy Barman, learned senior counsel assisted by Mr. Samarjit Bhattacharjee, learned counsel appearing for the petitioners, Mr. Raju Datta, learned counsel for the respondents-Tripura Public Service Commission (TPSC, for short), Mr. Debalay Bhattacharya, learned Government Advocate assisted by Mr. Soumyadeep Saha, learned counsel appearing for the respondents-State and Mr. S.M. Chakraborty, learned senior counsel assisted by Mrs. P. Chakraborty, learned counsel, and Mr. Somik Deb, learned senior counsel appearing for the private respondents.

2. Both the writ petitions have been heard together as they relate to recruitment under the same advertisement No.08/2022 issued by the TPSC

though relating to different subjects of Human Physiology and Commerce in the individual cases but having same grounds of challenge. In both the writ petitions, the procedure adopted for computation of API score by application of Clause 10.0 of the UGC Regulations, 2018 by the selection committee as approved by the TPSC though are not being questioned in view of the issue having been squarely answered in a similar challenge in the case of **Dr. Jayanta Dhar vs. The State of Tripura & others** in **WP(C) No.90 of 2023** and other connected matters, judgment dated 17th May, 2023 but the petitioners have questioned the applicability of the guidelines framed by the TPSC in matters of giving weightage to the API score and the interview score.

3. The first issue which needs to be answered in both the writ petitions is whether the weightage of marks for API score as 85% should also have been followed in the component of personal interview by giving 15% weightage to the absolute marks obtained in the personal interview. The petitioners have also taken a plea that in case the answer to this issue is in the negative and the application of weightage of 85% to the marks of API alone is accepted with absolute marks under personal interview added to it, the non-counting of marks for their teaching experience in the Holy Cross College is not in accordance with law despite the petitioners fulfilling the criteria prescribed under sub-clauses (a) to (f) of Clause 10.0 of the UGC Regulations, 2018.

4. This Court proceeds to answer the first issue at the outset as the answer thereto would be relevant for dealing with the second issue raised by the writ petitioners. The relevant documents on which learned counsel for the

petitioners and the respondents-TPSC, the respondents-State and the private respondents have relied upon are the terms of the advertisement No.08/2022 at Annexure-1. Apart from laying down the eligibility criteria of educational and other qualifications, it prescribes that the selection procedure will be governed by as per Annexure-A and Annexure-B of the notified schedule of the post of Assistant Professor, Government (General) Degree Colleges. Annexure-A and B, therefore, become relevant and are extracted hereunder:

ANNEXURE-A

Table: 3B

Criteria for Short-listing of candidates for Interview for the post of Assistant Professor, in Colleges

Sl. No.	Academic Record	Score			
1.	Graduation	80% and above=21	60% to less than 80% =19	55% to less than 60%=16	45% to less than 55%=10
2.	Post-Graduation	80% and above=25	60% to less than 80% =23	55% (50% in case of SC/ST/OBC (non-creamy layer/PWD) to less than 60%=20	
3.	M. Phil	60% and above=07	55% to less than 60%=05		
4.	Ph.D.	25			
5.	NET with JRF	10			
	NET	08			
	SLET/SET	05			
6.	Research Publications (2 marks for each research publications published in Peer-Reviewed or UGC-listed Journals)	06			
7	Teaching/Post Doctoral Experience (2 marks for one year each)#	10			
8	Awards				
	International/National Level (Awards given by International Organizations/Government of India/Government of India recognized National Level Bodies	03			
	State-Level (Awards given by State Government)	02			

However, if the period of teaching/post-doctoral experience is less than one year then the marks shall be reduced proportionately.

Note:-(A) (i) M.Phil + Ph.D ---Maximum -25 Marks
(ii) JRF/NET/SET---Maximum -10 Marks
(iii) In awards category-Maximum -03 Marks

(B) Number of candidates to be called for interview shall be decided by the college.

(C) Academic Score-----84
Research Publication-----06
Teaching Experience-----10

TOTAL-----100

(D) SLET/SET score shall be valid for appointment in respective State Universities/Colleges/Institutions only.

ANNEXURE-B

Selection Procedure for the post of Assistant Professor in Government (General) Degree Colleges, as per latest UGC Regulation:

1. The overall selection procedure shall incorporate transparent, objective and credible methodology of analysis of the merits and credentials of the applicants based on the weightage given to the performance of the different relevant parameters and his/her performance on a grading system proforma, based on Appendix-II, Table 3B of the UGC Regulation, 2018 as amended.

2. The Academic score as specified in Annexure-II, Table 3B for Colleges, shall be considered for short-listing of the candidates (Maximum 5 candidates for each post notified) for interview.

3. TPSC shall constitute Selection Committee and fix qualifying cut off mark (if any) for interview as per UGC Guideline 2018 as amended time to time.

4. As per State's New Recruitment Policy vide Notification No.F.20(1)-GA(P&T)/18 dated 05-06-2018, maximum of 10% weightage of total marks may be allocated for the Interview/ Personality Test for selection purpose. Accordingly 10 marks for Interview/Personality test is fixed for the post of Asstt. Professor, Government (General) Degree Colleges.

5. Merit list will be formed by TPSC aggregating the 90% of marks obtained by the candidate as per API score and interview

marks scored by the candidate and following other instruction in the latest guideline.

6. Five members, including three subject experts, shall constitute the quorum of the Selection Committee.

5. Emphasis is placed by the learned counsel for the petitioners upon a notification dated 13.10.2022 which reads as under:

CORRIGENDUM

Ref: Commission's Advt. No.08/2022 dated 24.03.22 for the post of Assistant Professor, Group-A Gazetted, Govt. (General) Degree Colleges under the Education (Higher) Department, Govt. of Tripura.

In pursuance of the notification dated No.F.1(435)-DHE/Estt/(G)/2019/226(04) dated 16-01-2021 the Commission is pleased to issue corrigendum at para 5 of Annexure 'A' as Screening API score followed by selection process of interview with a weightage of 15% and API score weightage of 85% in adherence of New Recruitment Policy, 2018 and further modification in 2020 and UGC regulation, 2018. (enclo Notification).

Others terms and conditions will remain unchanged.

For further information please visit www.tpsc.tripura.gov.in

Sd/- (13.10.2022)

(Smt. K. Debbarma)

Under Secretary

Tripura Public Service Commission.

6. The aforesaid notification has to be read in conjunction with the earlier notification of the Government of Tripura dated 16.01.2021 which reads as under:

NOTIFICATION

The Recruitment Rule for the post of Assistant Professor, Government (General) Degree Colleges has been notified vide No.F.1(435)-DHE/Estt(G)/2019 dated 27.08.2020.

In partial modification of the said Notification issued by this Department it is hereby notified that in the Point no.5 i.e. Method of

recruitments whether by direct recruits or by promotion or by deputation/transfer and percentage of the vacancies to be filled by various method appeared in the Schedule of the Recruitment Rules of the said notification, the following shall be substituted in place of the existing.

"100% by direct recruitment through TPSC.

Screening API score followed by selection process of interview with a weightage of 15% and API score weightage of 85% in adherence of New Recruitment Policy, 2018 and further modification in 2020 and UGC Regulation, 2018.

*Selection process is enclosed as **Annexure-A**".*

This is issued with the concurrence of GA(P&T) Department vide their U.O. No.190/GA(P&T)/21 dated 13.01.2021.

Rest of the contents of the said Notification and Schedule shall remain unchanged.

By order and in the name of the Governor

Sd/-(16.01.2021)
Joint Secretary to the
Government of Tripura
Education (Higher) Department.

7. Rival submissions have been made on the proposition as to whether these two notifications if read together would mean granting of weightage of 85% to API score and 15% in personal interview or not. The answer thereto at the first blush lies in reading Clause-4 of Annexure-B quoted above with Annexure-A which lays down the criteria for short-listing of candidates for interview for the post of Assistant Professor in colleges. Out of 100 marks, 85% marks is allotted to API score and 15 is left to personal interview. A combined reading of the notification dated 16.01.2021 and 13.10.2022 along with Annexure-B and A which are to be read with the terms of the advertisement No.08/2022 do leave no room of doubt that while out of total marks, 15 marks are allotted to interview while in computing the API

score out of total marks obtained under the API category 85% weightage is only to be given. This is a formula which has been devised by the Education (Higher) Department as per the State's New Recruitment Policy vide notification dated 05.06.2018 and followed by the TPSC as per its Corrigendum dated 13.10.2022 with the only difference that the interview marks would be 15 instead of 10.

8. Laying down of a formula in any case for such recruitment process lies in the domain of the administrative body or experts such as, the Public Service Commission. The Court does not have the wherewithal to substitute a formula devised by an expert body with its own, as any such attempt would not be foolproof and vulnerable to various shortcomings in its application which the Court is not in a position to deal with. But apart from that if the application of the formula has been made in a non-discriminatory transparent manner to all the candidates, the Court would be loath to interfere in the matter which is in the domain of the expert body. Apart from the above, Table 3B in itself indicates that weightage has been given on several categories such as, of the academic record perhaps for the reason that academic scores awarded by different Examination Boards and Universities cannot be said to be standardized across the country. It is the experience that some Examination Boards or Universities award higher percentage of marks to its students while some are more conservative in evaluation of papers. As such, in a criteria for evaluation by the Public Service Commission for recruitment to the post of Assistant Professor, Professor, Associate Professor in different colleges under the State, the Government Department and TPSC have in their wisdom

consciously chosen to give a weightage criteria to the total API marks scored. The same logic or reasoning would not apply to counting of the marks of interview which are either 10% or 15% in such recruitment exercise. If weightage of 15% is extended to even the maximum personal interview marks in such recruitment exercise which is 15 in this case, the whole purpose of personal interview would be defeated as 15% of even 15 marks could at best be 2.25. This could hardly be an evaluation of the personality of the candidate appearing. Though this issue was also touched upon in the case of *Jayanta Dhar* (supra) by the parties but since no specific pronouncements have been made in this regard, this Court has, therefore, felt it necessary to deal with the instant legal issue posed by the petitioners herein. For the aforesaid reasons, this Court is, therefore, satisfied that on a construction of the terms of the advertisement, Table 3B at Annexure-A, the notification dated 16.01.2021 read with 13.10.2022, the formula devised by the Education (Higher) Department and the TPSC for evaluation of the API score, 85% of weightage is to be given whereas the marks scored in the personal interview has to be added in absolute terms. The first question posed at the outset is, therefore, answered in the following manner and against the petitioners.

9. Coming to the second issue at hand, both the petitioners have relied upon the certificates or letters issued by their employer to contend that they fulfill the criteria prescribed under sub-clauses (a) to (f) of Clause 10.0 of the UGC Regulations, 2018 for counting the teaching experience for the term they have spent in the same Holy Cross College.

Petitioner Dr. Sandeep Roy Sarkar in the first writ petition has on his part relied upon a notice dated 25.01.2018 at Annexure-5, the letter of appointment dated 01.07.2021 at Annexure-6, a pay slip for the month of July, 2021 at Annexure-7, and an experience certificate dated 25.04.2022 issued by the Principal, Holy Cross College at Annexure-8, to buttress this point.

Petitioner Dr. Shankha Subhra Bhadra in the second writ petition has relied upon similar certificates and appointment letter issued by the same Holy Cross College such as, the appointment letter dated 25.06.2013 at Annexure-5, an experience certificate dated 28.04.2022 issued by the Principal, Holy Cross College at Annexure-6, Pay slips for the month of July, 2022 to September, 2022 at Annexure-8 and a certificate of appreciation dated 24.02.2021 issued by the Department of Business Administration, Assam University, Silchar at Annexure-9.

10. The computation of API scores in both the cases prepared by the TPSC have been annexed to the writ petitions at Annexures-9 & 10 respectively. The footnote thereunder conveys that marks for teaching experience in some cases have not been allotted because the documents submitted/attached by the candidates do not fulfill conditions stipulated in Clause 10.0 [sub-clauses (a) to (f)] of the UGC Regulations, 2018. Apart from that the notes at the bottom also convey that only awards that have been conferred by the International/National Level (Awards given by International Organizations)/ Government of India/Government of India recognized National Level Bodies and State Level awards have been considered for awarding marks in that category.

11. In the case of the petitioner No.1 Dr. Sandeep Roy Sarkar, the first letter dated 25.01.2018 at Annexure-5 does not in explicit terms satisfy the conditions as are prescribed under sub-clauses (a) to (f) of the Clause 10.0 of the UGC Regulations, 2018 and in particular, paragraphs-(i), (ii) and (iii) of sub-clause (f) of the UGC Regulations, 2018. Annexure-6 is dated 01.07.2021 which is shown as letter of appointment. If this is considered to be the letter of appointment, then there cannot be any question of having 5(five) years of teaching experience to claim API score of 10 for teaching experience since the cutoff date for submission of the applications under Advertisement No.08/2022 was 04.05.2022 only. The pay slips are also starting from July, 2021. This Court is, therefore, not in a position to disregard the marking of scores for teaching experience in the case of the petitioner No.1 as the documents submitted/attached by him do not fulfill the conditions stipulated in sub-clauses (a) to (f) of Clause 10.0 of the UGC Regulations, 2018. This Court is not an appellate body of the Public Service Commission. Therefore, cannot sit in judgment as an expert on the evaluation of a document in exercise of the powers of judicial review on the **Wednesbury** principles of reasonableness to be applied in this context in writ jurisdiction.

12. So far as the petitioner No.2 is concerned, there is apparent infirmity in the appointment letter dated 25.06.2013, which shows his effective date of appointment as 01.07.2013 and the experience certificate which shows that he has been working from 01.07.2010 (Annexure-6) in the said Holy Cross College in the Department of Commerce.

Learned counsel for the petitioner has sought to dispel this discrepancy but reference to paragraph-9 of his writ petition would reinforce the view that petitioner had set up his case as having served as Assistant Professor as Regular Faculty in the Holy Cross College w.e.f. 01.07.2010 only till date whereas the letter of appointment which is Annexure-5 is dated 25.06.2013. It is another matter that this letter does not also refer to the particular subject in which he has been appointed as Assistant Professor in Holy Cross College.

13. Mr. Somik Deb, learned senior counsel appearing for the private respondent No.6, has specifically drawn the attention of this Court to the Brochure of the Holy Cross College at page-110 of WP(C) No.967 of 2022 which itself shows the date of commencement of the Department of Commerce in that college from 2016. As such, when the documents submitted by a candidate like the petitioner herein are not clear and candid and fail to fulfill the terms of the advertisement read with the sub-clauses (a) to (f) of Clause 10.0 of the UGC Regulations, 2018, the decision of the expert Scrutiny Committee, which is the part of Annexure-10 at pages-47-48 of the instant writ petition [WP(C) No.967 of 2022], is not liable to be interfered in writ jurisdiction.

14. For the same reasoning as recorded hereinabove in the case of the petitioner Dr. Sandeep Roy Sarkar, this Court would be loath to interfere in the matter lying in the domain of experts in the matter of evaluation of API scores and particularly, in matters of teaching experience of the Assistant Professors. On the application of *Wednesbury* principles of reasonableness and on

consideration of the relevant documents submitted by the petitioner in support of his teaching experience, this Court is not in a position to reach to a conclusion that the decision of the Scrutiny Committee is irrational and that no reasonable person acting thereupon could have reached to such a conclusion. The principles of *Wednesbury* reasonableness as are well settled and referred to in the case of *Tata Cellular vrs. Union of India* reported in (1994) 6 SCC 651, paragraphs-74, 77, 80 and 81 are being extracted hereunder:

"74. Judicial review is concerned with reviewing not the merits of the decision in support of which the application for judicial review is made, but the decision-making process itself.

xxx xxx xxx

77. The duty of the court is to confine itself to the question of legality. Its concern should be:

1. Whether a decision-making authority exceeded its powers?
2. Committed an error of law,
3. Committed a breach of the rules of natural justice,
4. Reached a decision which no reasonable tribunal would have reached or,
5. Abused its powers.

Therefore, it is not for the court to determine whether a particular policy or particular decision taken in the fulfilment of that policy is fair. It is only concerned with the manner in which those decisions have been taken. The extent of the duty to act fairly will vary from case to case. Shortly put, the grounds upon which an administrative action is subject to control by judicial review can be classified as under:

- (i) Illegality : This means the decision-maker must understand correctly the law that regulates his decision-making power and must give effect to it.
- (ii) Irrationality, namely, *Wednesbury* unreasonableness.
- (iii) Procedural impropriety.

The above are only the broad grounds but it does not rule out addition of further grounds in course of time. As a matter of fact,

in *R. v. Secretary of State for the Home Department, ex Brind* [(1991) 1 AC 696] , Lord Diplock refers specifically to one development, namely, the possible recognition of the principle of proportionality. In all these cases the test to be adopted is that the court should, “consider whether something has gone wrong of a nature and degree which requires its intervention”.

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80. At this stage, *The Supreme Court Practice*, 1993, Vol. 1, pp. 849-850, may be quoted:

“4. *Wednesbury principle*.— A decision of a public authority will be liable to be quashed or otherwise dealt with by an appropriate order in judicial review proceedings where the court concludes that the decision is such that no authority properly directing itself on the relevant law and acting reasonably could have reached it. (*Associated Provincial Picture Houses Ltd. v. Wednesbury Corpn.* [(1948) 1 KB 223 : (1947) 2 All ER 680] , per Lord Greene, M.R.)”

81. Two other facets of irrationality may be mentioned.

(1) It is open to the court to review the decision-maker's evaluation of the facts. The court will intervene where the facts taken as a whole could not logically warrant the conclusion of the decision-maker. If the weight of facts pointing to one course of action is overwhelming, then a decision the other way, cannot be upheld. Thus, in *Emma Hotels Ltd. v. Secretary of State for Environment* [(1980) 41 P & CR 255] , the Secretary of State referred to a number of factors which led him to the conclusion that a non-resident's bar in a hotel was operated in such a way that the bar was not an incident of the hotel use for planning purposes, but constituted a separate use. The Divisional Court analysed the factors which led the Secretary of State to that conclusion and, having done so, set it aside. Donaldson, L.J. said that he could not see on what basis the Secretary of State had reached his conclusion.

(2) A decision would be regarded as unreasonable if it is impartial and unequal in its operation as between different classes. On this basis in *R. v. Barnet London Borough Council, ex p*

Johnson [(1989) 88 LGR 73] the condition imposed by a local authority prohibiting participation by those affiliated with political parties at events to be held in the authority's parks was struck down."

15. Reliance is also placed on a decision of the Apex Court in the case of *Tajvir Singh Sodhi & Ors Vs State of Jammu & Kashmir & Ors*, reported in **2023 SCC OnLine SC 344** (Paragraphs 64 to 69) on the scope of judicial interference in decisions of expert recruitment bodies like Public Service Commissions.

16. The second writ petitioner Dr. Shankha Subhra Bhadra has relied upon a certificate of appreciation furnished by the Workshop Patron and Head, Department of Business Administration, Assam University, Silchar dated 24.02.2011. However, the criteria laid down for evaluation of API score under Table 3B (Annexure-A) clearly provides that such 3 marks could be awarded for International/National Level (Awards given by International Organizations/ Government of India/Government of India recognized National Level Bodies and not for certificate of appreciation for participating in a Group Discussion like the one in which the petitioner has participated i.e. dated 24.02.2011 at Annexure-9. The above plea also fails to satisfy the requirement for counting of API score on that criteria as also taken note of by the Screening Committee at the bottom of the footnote of the API scores notified on 15.10.2022 for all such candidates who appeared for the Commerce subject (Annexure-10, dated 15.10.2022).

17. Since the second plea of the petitioners examined above also do not make out a case for interference in the evaluation of API score so far as teaching experience is concerned, the comparative merit list prepared by the

TPSC for the purposes of recruitment to the two subjects with which these two writ petitioners are concerned, i.e. Human Physiology and Commerce cannot be said to suffer from any illegality, arbitrariness or discrimination vis-à-vis the petitioners and the private respondents.

18. As such, on a totality of the facts and circumstances noted above, the discussions, the legal propositions raised and answered and the reasons recorded hereinabove, this Court does not find any merit in these two writ petitions. They are accordingly dismissed.

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

(APARESH KUMAR SINGH), CJ

PULAK BANIK Date: 2023.08.08
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