

**HIGH COURT OF TRIPURA
AGARTALA**

WP(C) No.873 of 2022

Sri Vijai Kumar Singh, S/O Sridhar Singh, permanent resident of New Lahore Colony, Shastrinagar, Near SDM Court, East Delhi, PIN-110031 at present residing at Guest House, NSD Tripura, Najrul Khalakhetra, Banamalipur, P.O- Agartala, P.S- East Agartala, District- West Tripura, PIN-799001.

....Petitioner(s)

Versus

- 1. Union of India**, represented by the Secretary, Ministry of Culture, Government of India, 502-C, Shastri Bhawan, New Delhi.
- 2. National School of Drama**, represented by its Director, Bahawalpur House, Bhagwandas Road, New Delhi, 110001.
- 3. The Director**, National School of Drama, Bahawalpur House, Bhagwandas Road, New Delhi, 110001.
- 4. Registrar**, National School of Drama, Bahawalpur House, Bhagwandas Road, New Delhi, 110001.
- 5. Sushil Gupta**, Member, Scrutiny Committee, National School of Drama, Bahawalpur House, Bhagwandas Road, New Delhi, 110001.
- 6. Dipankar Paul**, Member, Scrutiny Committee, National School of Drama, Bahawalpur House, Bhagwandas Road, New Delhi, 110001.
- 7. Aruna Kumar Mallick**, Member, Scrutiny Committee, National School of Drama, Bahawalpur House, Bhagwandas Road, New Delhi, 110001.
- 8. Sri Biplob Borkakoti**, Centre Director, NSD's TIE Wing, Nazrul Kalashetra, Dhaleswar, Agartala, West Tripura.

....Respondent(s)

For the Petitioner(s)	:	Mr. Somik Deb, Sr. Advocate Mr. P. Chakraborty, Advocate
For the Respondent(s)	:	Mr. D. Bhattacharya, Sr. Advocate Mr. B. Majumder, Advocate Mr. S. Saha, Advocate Mr. P. Debbarma, Advocate

HON'BLE MR. JUSTICE ARINDAM LODH

Order

24/06/2024

Heard Mr. Somik Deb, learned senior counsel assisted by Mr. P. Chakraborty, learned counsel appearing for the petitioner. Also heard Mr. B. Majumder, learned Dy. SGI assisted by Mr. P. Debbarma, learned counsel appearing for respondents no.1 to 4 and Mr. D. Bhattacharya, learned senior

counsel assisted by Mr. S. Saha, learned counsel appearing for respondents no.5 to 7.

The petitioner, by way of filing the instant writ petition has sought for a direction upon the respondents to cancel/quash the selection of the respondent no.8 for the post of Central Director. The main plea of the petitioner is that the respondent no.8 has no requisite qualification for being selected and appointed to the post of Central Director under the respondents.

On being scrutinized the writ petition along with the documents annexed therein as well as the counter affidavit filed by the respondents and upon hearing the learned counsel appearing for the parties, I find that the petitioner has no requisite qualification to be considered for selection to the post of Central Director under the respondents.

A comparative statement has been made in the additional counter affidavit as regards the qualification of both the petitioner and the respondent no.8, which is reproduced, in extenso, for convenience:

Qualification as per Recruitment Rules	Qualification of Petitioner(Sri Vijai Kumar Singh)	Qualification of Sh. Biplob Borkakoti(candidate selected)
1. M.A. in Dramatic Art/Theatre Arts in concerned field from a recognized University/Institution. 2. Post Graduate Diploma of NSD or equivalent from Theatre Training Institute or some recognized Institution. Note: The post graduate diploma of NSD is of 3 years duration. Association of Indian University vide their communication no. EV/II(414)/81/39395, dated 19 th October 1981 and EV/II(414)/NSD/2021-22/50 dated 31 st May, 2021 described the status of National School of Drama as under:	1. M.A. in History from Gorakhpur University. 2. Two years diploma course of dramatic arts from Bhartendu Academi, Lucknow. (Not qualified for interview) a. The petitioner does not fulfill the essential qualification of MA in Arts/Theatre Art. b. The two years diploma is not equivalent to the 3 years course/diploma of National School of Drama. The resolution passed by Association of Indian Universities vide their communication no.EV/II(414)/81/39395, dated 19 th October 1981 and	Three years Diploma in Dramatic Arts from NSD. The Diploma is equivalent to MA Degree as per resolution passed by Association of Indian University, as mentioned in Column no.01 (Qualified for interview)

“Resolved that those who have a Bachelor Degree and having obtained a Diploma in Dramatics from the National School of Drama, New Delhi be considered as having obtained an MA Degree and as such be eligible for appointment as teachers in colleges and universities and for the purpose of registration to Ph.D”.	EV/II(414)/NSD/2021-22/50 dated 31 st May, 2021, is reproduced in column no.1.	
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At a first glance, it is apparent that the petitioner was not having M.A. in Dramatic Art/Theatre Arts in concerned field from a recognized University/Institution. The petitioner possessed only M.A. in History, which is not the requisite qualification for selection and appointment to the post of Central Director and does not conform the criteria laid down in the Recruitment Rules framed to fill up the post of Central Director.

In view of this, the petitioner has no locus to challenge the selection and appointment of respondent no.8 and the present writ petition is not maintainable. It is well settled that to seek mandamus one must first establish his *locus standi*. It is also noticed by this Court that the respondent no.8 also does not possess the requisite qualification. So, the surprising feature is that as to how the Selection Committee has recommended the name of respondent no.8.

Without commenting further, this instant writ petition stands dismissed as not maintainable.

Registry is directed to return the relevant original file relating to the selection of the private respondent to Mr. B. Majumder, learned Dy.SGI for the respondents no.1 to 4.

JUDGE

Snigdha