

12<sup>th</sup> September,  
2019

**Calcutta High Court  
In the Circuit Bench At Jalpaiguri**

W.P.A. 557 of 2019

(13)  
(AK)

Dr. Amar Roy  
-vs-  
The State of West Bengal & Ors.

Mr. Subhrangsu Panda

..... For the Petitioner.

Mr. Bikramaditya Ghosh  
Mr. Ankan Mitra

.....For the State.

The petitioner retired as a Professor from the Uttar Banga Krishi Viswavidyalaya on 30<sup>th</sup> June, 2012 and was re-employed by the said University pursuant to a notification dated 18<sup>th</sup> May, 2009 from the Department of Agriculture, Education Branch, Government of West Bengal. The petitioner was re-employed by an order of the Vice Chancellor of the Viswavidyalaya dated 18<sup>th</sup> December, 2012. However, the release of the petitioner's salary was kept pending for the approval of the Executive Committee and the subsequent concurrence of the State of West Bengal. The petitioner was re-employed afresh by another order dated 9<sup>th</sup> July, 2013.

Learned counsel for the petitioner relies on several communications from the Vice Chancellor of the Viswavidyalaya showing that the petitioner's re-employment was unanimously approved by the

executive council on 3<sup>rd</sup> November, 2015. Counsel also places a letter from the Registrar of the Viswavidyalaya dated 14<sup>th</sup> May, 2019 stating that the petitioner's salary for the period of re-employment will be disbursed after getting the approval of the Government. The petitioner made several representations to the concerned authorities in 2017-2019 but the petitioner's salary was not paid until the date of filing of the writ petition. Counsel relies on an order dated 9<sup>th</sup> October, 2015 of the Principal Secretary on case involving similar facts where the Viswavidyalaya was directed to arrange for the remuneration on the basis of admissible dues to the petitioner in that case. Counsel prays that the concerned authorities should be directed to likewise consider the case of the petitioner.

The State is represented and learned counsel submits that the respondent no.2 being the Additional Chief Secretary, Department of Agriculture may be directed to consider the case of the petitioner.

Having heard learned counsel for the parties, this court is of the view that the petitioner's case should be considered as expeditiously as possible since the petitioner has admittedly not received any payment from 2012 after he was re-employed by the Viswavidyalaya by the order dated 18<sup>th</sup> December, 2012. The respondent no.2 or any other authority

authorized to take a decision in the matter is directed to consider the case of the petitioner as directed above. A copy of the reasoned order will be furnished to the petitioner within 5 days from the date of the order and the salary found due to be payable to the petitioner should be released to the petitioner within 3 weeks from the date of the release order by the concerned respondents/respondent no.3 and 4 to the petitioner.

Affidavit-of-service is kept on record.

W.P.A. 557 of 2019 is disposed of in terms of the above.

**(Moushumi Bhattacharya, J.)**