

Court No. 24

29.09.2021

(Item No. 58)

(AB)

**W.P.A 11735 of 2018
(Via Video Conference)**

Subhasis Bandyopadhyay

vs

The State of West Bengal & Ors.

Mr. N. C. Behani

Ms. Papiya Banerjee Bihani

Mr. Soumyajit Ghosh

..... For the petitioner

Mr. Anil Kumar Gupta

..... for UGC

Affidavit-in-opposition filed on behalf of the University Grants Commission in Court today is taken on record. Affidavit of service filed in Court today is also taken on record.

The memo dated 31st March, 2015 issued by the Additional Secretary, Higher Education Department is under challenge in the instant writ petition.

It appears from the order dated 1st March, 2016 passed by a co-ordinate Bench of this Court in W.P. 21949 (W) of 2015 (Dr. Sachindra Nath Paul Vs. State of West Bengal & Ors.) with several other writ petitions, the Court has been pleased to set aside the impugned memo dated 31st March, 2015.

The Court directed the concerned authority to consider the individual cases of the petitioners in accordance with law.

The learned advocate for the petitioner submits that the order passed in the matter of Dr. Sachindra

Nath Paul has already been acted upon by the respondents.

The petitioner in the instant case seeks for appointment in the post of Associate Professor with effect from 14th January, 2012.

As it appears that the issue in question has already been set at rest by this Court in the matter of Dr. Sachindra Nath Paul (supra) accordingly, the instant writ petition is disposed of by directing the Director of Public Instructions, being the respondent No. 4 herein to take a decision with regard to the prayer of the petitioner in the light of the observation made by this Court in the matter of Sachindra Nath Paul (supra) at the earliest, but positively within a period of eight weeks from the date of communication of a copy of this order.

The said respondent shall pass a reasoned order and communicate the same to the petitioner immediately thereafter.

The writ petition stands disposed of.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon completion of usual legal formalities.

(Amrita Sinha, J.)