

Court No. 24

**15.09.2021**

(Item No. 23)

(AB)

**W.P.A 13862 of 2021**

**Bidyut Kumar Sarkar & Ors.**

**VS**

**The Visva Bharati & Ors.**

**(via video conference)**

Mr. Anjan Bhattacharya

Ms. Anita Shaw

Ms. Sujata Chanda

..... For the petitioners

Mr. Soumya Majumder

Mr. Victor Chatterjee

..... for the Visva Bharati

Affidavit of service filed in Court is taken on record.

The petitioners are facing an enquiry before the Enquiry Officer of Visva Bharati. They prayed permission for to take legal assistance in the enquiry proceeding. The Enquiry Officer has refused the prayer of the petitioners.

The petitioners are aggrieved by the same.

The petitioners have not been able to show any provision of law that permits legal assistance to be taken in the proceeding before the Enquiry Officer.

The petitioners rely upon an order dated 4<sup>th</sup> September, 2020 passed by a Coordinate Bench of this Court in WP 210 of 2020 IA No. GA 1 of 2020 (Arka Das Vs. The Visva Bharati & Ors.) wherein the Court clarified that the petitioner will be entitled to be represented in the hearing through one legal representative of his choice.

The petitioners pray for similar order.

The petitioners could not place before this Court the reason as to why the Coordinate Bench of this Court permitted the petitioner in WP 210 of 2020 to take the assistance of the legal representative.

Accordingly, the said order dated 4<sup>th</sup> September, 2020 cannot be applied in case of the petitioners in the instant case.

The prayer of the petitioners accordingly stands rejected.

The writ petition being W.P.A. 13862 of 2021 stands dismissed.

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

**(Amrita Sinha, J.)**