

Court No. 24
31.08.2021
(Item No. 27)
(AB)

W.P.A. 24043 of 2007
(via video conference)

Gurindranath Chattopadhyay
VS
The Union of India & Ors.

Mr. Pradip Kumar Roy

..... petitioner

The writ petition was filed in the year 2007 challenging the action of Visva-Bharati in retiring the petitioner at the age of 60 years even though he served in a teaching post.

The Executive Council of Visva-Bharati in their meeting held on 25th November, 2007 resolved that the post of Soil Scientist-cum-Reader is an academic post and is a teaching post since 5th July, 1997. It was resolved that the petitioner was holding the said post as an academic staff of the University and he is entitled to all academic benefits including the date of superannuation.

The earlier order treating the post of the petitioner as a non-teaching post was revoked and the petitioner was directed to be superannuated from Visva-Bharati service on attaining the age of 65 years as that of Lecturer, Reader and Professors.

The petitioner has retired during the pendency of the writ petition on attaining the age of 65 years.

Presently, the prayer of the petitioner is that the designation of Professor should be mentioned in his service records.

None appears on behalf of the University despite service.

It appears from the documents annexed to the supplementary affidavit i.e. the minutes of the meeting of the Executive Council dated 25th November, 2007 that the principal relief of the petitioner has been mitigated by revoking the notice of superannuation of the petitioner at the age of 60 years. The petitioner has also received his benefits under the Career Advancement Scheme.

The University is directed to mention the designation of the petitioner as “Professor” in terms of the Executive Council resolution dated 25th November, 2007 in the service records of the petitioner.

The writ petition stands disposed of.

Supplementary affidavit and the affidavit of service filed in Court are taken on record.

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

(Amrita Sinha, J.)