

IN THE HIGH COURT AT CALCUTTA
CIVIL APPELLATE JURISDICTION

FMA 1657 of 2019

Srijib Kumar Patra
Vs.
Union of India & Ors.

Mr. Soumya Mazumdar
Mr. Atarup Banerjee
Mr. Subhas Jana ... For the Appellant.

Mr. Tapan Kumar Mukherjee
Ms. Tuli Sinha For the State Respondent.

Mr. Anil Kumar Gupta ... For the Respondent nos. 2 to 4./U.G.C.

The impugned judgement and order is dated
16th May, 2016.

The material terms of this judgement and order
are as follows:

***“In such circumstances, the State authorities
are directed to act in terms of the interpretation of the
relevant Clauses and U.G.C. Regulation 2000 as given in
the judgement and order dated March 1, 2016 passed in
Dr. Sachindra Nath Pal(supra) so far as the petitioner is
concerned***

***W.P. 8381(W) of 2016 is disposed of without any
order as to costs”***

S.D. Mr. Atarup Banerjee, learned advocate for the
appellant/petitioner submits that the State Authorities
should have been directed to act in terms of the
University Grants’ Commission Regulation, 2000 as
interpreted by this court in its order dated 22nd February,
2016 in W.P. 27262(W) of 2014 (Partha Sarathi Dutta Vs.

Union of India & Ors.).

From the reasons given in the impugned judgement and from the tenor thereof, we think that the learned judge intended to refer to and cite the said judgement dated 22nd February, 2016 in the Partha Sarathi Dutta Vs. Union of India & Ors. matter but by inadvertence the reference was wrongly recorded as Dr. Sachindra Nath Pal. Vs. State of West Bengal & Ors. and decided on 1st March, 2016.

In those circumstances, we dispose of this appeal by directing the State Authorities to act in terms of the relevant Clauses of the University Grants' Commission Regulation 2000 as interpreted by this court in the case of Partha Sarathi Dutta Vs. Union of India & Ors. on 22nd February, 2016.

The impugned judgement and order is modified to the above effect.

This appeal is allowed to the above extent.

We direct the State respondents to take the necessary decision in terms of this order within eight weeks from the date of communication of this order.

(I.P. Mukerji, J.)

(Bivas Pattanayak, J.)

