

Ct. 05
Item No.15
06.04.2022
(suvendu)

WPA 17026 of 2019

[Via Video Conference]

**Mahadeb Chandra Chandra
Vs.
The State of West Bengal & Ors.**

Mr. Anirban Mitra
Mr. Amit Halder
Md. Wasim Akram

.....for the petitioner

Mr. Swapan Banerjee
Mr. Saugata Mitra

.....for the University

Ms. Bratati Ray Chowdhury

.....for the respondent nos. 8 & 9

The limited prayer of the petitioner is for an order directing the Appellate Authority of the University to dispose of an appeal filed by the petitioner on 12th November, 2018. The appeal was filed by the petitioner against an order of the Governing Body of the College dated 21st June, 2017.

Learned counsel appearing for the petitioner submits that an application made by the petitioner under The Right to Information Act, 2005 for furnishing of certain documents relevant to the appeal has not been complied with and that the petitioner has not been shown

any document in connection with the pending proceedings by the College or the Appellate Authority.

Learned counsel appearing for the College and the University submits that the appeal may be time barred. It is, however, evident from the records that this point has not been taken by either the College or the University at any point of time. It is most unfortunate that an appeal pending from November, 2018 has not been disposed of by the Appellate Authority till date. The petitioner has admittedly being deprived of his increments since 2016. The petitioner is due to retire in January, 2023.

In view of the above, the Appellate Authority is directed to dispose of the appeal within two weeks from the date of communication of this order. The petitioner shall have liberty to mention if there is any further delay on the part of the Appellate Authority.

The Appellate Authority is also directed to give an opportunity of hearing to the petitioner as provided under the relevant Rules or the practice adopted by the Appellate Authority.

WPA 17026 of 2019 is disposed of in terms of the above.

Urgent photostat certified copy of this order, if applied for, be given to the parties on usual undertakings.

(Moushumi Bhattacharya, J.)