

Item No. 3

28.07.2022
Ct-24

In The High Court At Calcutta
Special Jurisdiction
Appellate Side

CPAN 1058 of 2021
Dr. Mohammad Faique
v.
Ashok Kumar Mahato & Ors.
in
WPA 9573 of 2021

Mr. Chittopriya Ghosh
Ms. Komal Singh
Mr. Somesh Kumar Ghosh
... for the petitioner.

Mr. Soumya Majumder
Mr. Victor Chatterjee
... for the Contemnors.

The petitioner is aggrieved by the order dated August 3, 2021 passed by the Registrar (Acting), Visva-Bharati rejecting the prayer of the petitioner for promotion. The said order was passed allegedly in compliance of the direction passed by the Court in the writ petition filed by the petitioner.

In the writ petition the Court directed the concerned authority of the University to communicate the ground for rejecting the case of the petitioner for promotion by mentioning the UGC guidelines and/or the relevant Rule relying upon which the prayer of the petitioner for promotion was not recommended.

The order dated August 3, 2021 speaks of the UGC Guidelines 2010. Whether or not the said

guidelines were at all applicable in the case of the petitioner has to be decided in a fresh proceeding. The same cannot be looked into in the contempt matter.

In view of the above, the contempt application stands disposed of.

The petitioner will be at liberty to approach the appropriate forum for redressal of his grievances, in accordance with law, if so advised.

Urgent photostat certified copy of this order, if applied for, be given to the parties after completion of all legal formalities.

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(Amrita Sinha, J.)