

Sl. No. 9
10.06.2022

Court No.24
B.M.

In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

W.P.A 20999 of 2018

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IA No.: CAN 1 of 2020

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IA No.: CAN 2 of 2022

Dr. Sekhar Chandra Set
Versus
Secretary, Ministry of Culture, Government of India

Dr. Sekhar Chandra Set
... Petitioner-in-person
Mr. M. L. Singhanian
Mr. Debu Chowdhury
... for Union of India

The petitioner is aggrieved by the advertisement published by the University of Chicago on 5th May, 2018 inviting application for visiting professorship for the Chair installed and maintained by the Government of India through the Ministry of Culture.

According to the petitioner, in terms of the order passed by this court on 17th July, 2017 in W.P. No.14076 (W) of 2017 (Dr. Sekhar Chandra Set v. Secretary, Ministry of Culture, Government of India & Ors.), the advertisement for filling up the said Chair was to be made by the Ministry of Culture. Instead of the Ministry of Culture making the said advertisement the same was made by the University of Chicago.

The petitioner submits that an application for review of the order dated 17th July, 2017 was pending consideration before this Court on the date the advertisement was published by the University of Chicago and accordingly, he failed to apply in terms of the said advertisement dated 5th May, 2018.

The deadline for making application pursuant to the advertisement dated 5th May, 2018 was 18th May, 2018.

At the time of consideration of the present writ petition an order was passed by the Court on 2nd January, 2019 whereby the respondent authorities were restrained from publishing the names of the selected candidates till disposal of the writ petition.

As the writ petition remained pending for a considerable period of time and the Chair could not be filled up, the University of Chicago published a further advertisement on 25th December, 2020. The petitioner applied pursuant to the said advertisement.

It is the specific submission of the petitioner that in view of publication of the subsequent advertisement in the year 2020, the earlier advertisement published in 2018 become infructuous.

Learned advocate representing the respondent authorities admits the submission made on behalf of the petitioner.

It has been admitted that in view of publication of the subsequent advertisement in the year 2020, the earlier advertisement published in the year 2018 lost its force.

As it has been admitted by the respondents that the advertisement published in the year 2018, under challenge in the present writ petition, has become infructuous and redundant in view of subsequent publication of the advertisement in the year 2020 for filling up the self same Chair, that is, Chair of the Indian Ministry of Culture, Vivekananda Chair, accordingly, no further order is required to be passed in the present writ petition. The earlier advertisement dated 5th May, 2018 has lost its force and has become infructuous.

The writ petition and all connected applications stand disposed of.

The interim order stands vacated.

Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Amrita Sinha, J.)