

22 14.12.2022
Sc Ct. no.22

WPA 22891 OF 2022

Dr. Jayita Chakraborty

Vs.

The State of West Bengal & Ors.

Mr. Dibyendra Narayan Ray
Ms. Munmun Tewary
Ms. Chumki Chowdhuri.

.... For the Petitioner

Mr. Subhrangsu Panda
Ms. Ira Bhattacharyya
Ms. Mithu Singha Mahapatra.

.... For the West Bengal
College Service
Commission

Mr. Sujoy Bandyopadhyay
Mr. Shambhu Mahato.

....For the Respondent
No. 5.

The petitioner claims to be an **Assistant Professor for the discipline of Physics at Vivekananda Satavarshiki Mahavidyalaya, Jhargram**. The petitioner joined the relevant college with effect from January 20, 2020. According to the petitioner, she tendered resignation on October 30, 2021, **Annexure-P4** to the writ petition. The said date was wrongly mentioned by mistake as October 30, 2022 in the order dated November 21, 2022. The date to be read as October 30, 2021 in the said order dated November 21, 2022.

To ascertain actual date of acceptance of the resignation, this Court by its order dated November 21, 2022 directed the respondent no.5 to take a decision on the same and to file a short affidavit disclosing the actual

date of acceptance of the resignation of the petitioner. Such affidavit was affirmed by the respondent no.5 on November 30, 2022 wherefrom it appeared that the resignation of the petitioner was accepted by the college authority on November 26, 2021. The relevant paragraph from the said affidavit is quoted below :

“3. I state that resignation of Dr. Jayita Chakraborty, Assistant Professor (Physics) has been accepted in the meeting dated 26.11.2021 of the Governing Body of our College, resolution has been passed and duly been accepted unanimously.”

In view of the above, the respondent no.5 is directed to calculate the entire dues payable to the petitioner arising out of her employment career taking her date of resignation to be November 26, 2021 and shall forward such calculation to the respondent no.3 positively within a period of four weeks from the date of communication of this order. A copy of such computation shall also be furnished to the petitioner simultaneously by the respondent no.5.

The respondent no.3 then after receiving the said computation from the college authority shall take all necessary and subsequent steps and release the entire monetary benefit to the petitioner within a period of four weeks from the date of receipt of such computation from the respondent no.5, the college authority.

It is to be noted that no disciplinary proceeding was initiated against the petitioner by the relevant college

authority nor the petitioner had suffered any punitive action in any manner.

On the above terms, this writ petition **WPA 22891 of 2022** stands disposed of, without any order as to costs.

Photostat certified copy of this order, if applied for, be furnished expeditiously.

(Aniruddha Roy, J.)