

22.02.2023

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WPA 2270 of 2023

Shaona Barik

Vs.

Visva Bharati & Ors.

Mr. Samim Ahammed

Mr. Arka Maiti

... For the petitioner.

Mr. Soumya Majumder

Mr. Victor Chatterjee

... For the University.

The petitioner is an Assistant Professor in the Department of English at Visva Bharati. It is the case of the petitioner that she has been awarded the prestigious Charles Wallace India Trust Visiting Fellowship for the year 2022 at the Department of History, University of Leeds in the United Kingdom.

To avail of the Fellowship, the petitioner applied for an extra-ordinary leave. The university by a letter dated November 02, 2022, communicated that her prayer had not been considered by the competent authority. The petitioner challenges the said communication dated November 02, 2022.

Mr. Soumya Majumder, learned advocate appearing for the university submits that the petitioner teaches "Victorian English" at the university. As of date out of seventeen sanctioned posts, only ten posts in the Department are filled and there is no other teacher

available who is qualified to teach this specialized subject. He further submits that it is for the academic interest of the students, the petitioner was not granted leave.

The Fellowship in question is no doubt a prestigious one and having been selected for the same, it is natural for the petitioner to aspire to avail herself of its benefits.

Since the duration of the Fellowship is only of about four months, I do not find any substance in the submission of the university that in her temporary absence, the interest of the students will suffer significantly.

It is always expected that the teaching staff of the university should take advantage of such fellowship to get wider exposure, which in turn, will help them to contribute to their institution more effectively.

The order impugned is cryptic and non-speaking. I do not see any justification not to allow the petitioner to participate in the Fellowship.

Accordingly, the communication dated November 02, 2022, is set aside. The university will grant the necessary leave to the petitioner within 72 hours from date.

Accordingly, **WPA 2270 of 2023** is disposed of.

There will be no order as to costs.

Urgent certified *website* copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Kausik Chanda, J.)