

WPA 3917 of 2010
Dr. Pushan Majumdar
Vs.
Union of India & Ors.

Mr. Arka Maiti

...for the Petitioner

Mr. Kumarjit Das

...for the IACS

This writ petition was dismissed on August 17, 2010 by a Co-ordinate Bench of this Court against which an appeal was preferred before a Division Bench.

The Division Bench affirmed the order of the learned Single Judge by an order dated May 10, 2018.

The writ petitioner along with eight other writ petitioners preferred a Special Leave Petition against the order dated May 10, 2018 before the Hon'ble Supreme Court by filing a Special Leave Petition, SLP No. 23905 of 2018.

Unfortunately, during the pendency of the said Special Leave Petition, the petitioner passed away. His legal heirs were not substituted though Supreme Court took note of his death.

The Supreme Court remanded the matter back to this Court for considering this writ petition afresh on merit.

There is no scope to substitute the legal heirs of writ petitioner in this writ petition.

However, it has been fairly submitted by Mr. Kumarjit Das, learned advocate representing the Indian Association for the Cultivation of Science that the wife of the petitioner has been given appointment at the organisation on compassionate ground and if any financial benefit is determined in favour of the deceased writ petitioner the same will be given to his legal heirs in accordance with law.

Recording the above stand of the organisation, **WPA 3917 of 2010** is disposed of.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with the requisite formalities.

(Kausik Chanda, J.)