

Item-14. 05-10-2023

MAT 464 of 2023
CAN 1 of 2023

sg Ct. 8

Bejoy Narayan Mahavidyalaya & Anr.
Versus
Jayanta Kanri & Ors.

Sk. Mujibar Rahman, Adv.
Mr. Tanmoy Sett, Adv.

...for the appellants

Mr. Shuvro P. Lahiri, Adv.
Mr. Rajesh Naskar, Adv.

...for the writ petitioner

Mr. Amitava Chaudhuri, Adv.
Mr. N. Roy, Adv.

...for the DPI

Mr. Jayanta Samanta, Adv.
Mr. Kushal Biswas, Adv.

...for the State

1. There are vacancies for several posts including the Head Clerk. In terms of the Government Order being 1088-Edn(CS)/4E-15/2013 dated 22nd September, 2017, no reasonable explanation was offered for not taking any steps to fill up the posts despite permission from the Higher Education Department.
2. The learned Single Judge has taken into consideration that report filed by the Director of Public Instruction which clearly shows that the Higher Education Department of Government of West Bengal on 22nd September, 2017 accorded permission to fill up some existing non-teaching posts in the said college including the post of Head Clerk by promotion along with three newly created non-teaching posts.
3. It is submitted on behalf of the appellant that presently the Governing Body is not functioning.
4. In the absence of the Governing Body, we direct the

Administrator to take immediate steps for filling up the vacancies and if any approval of the Higher Education Department is required due to lapse of time, the same should be decided by the Higher Education Department within four weeks from date.

5. In the event, the said posts are approved by the Higher Education Department, the Administrator shall forthwith take steps and complete the selection process within two months thereafter.
6. With the aforesaid directions, the appeal and the application are accordingly, disposed of.
7. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Uday Kumar, J.)

(Soumen Sen, J.)