

24.02.2023

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**WPA 9771 of 2019**

Dr. Kaoushik K Mukherjee

Vs.

The Indian Institute of Information Technology & Ors.

Mr. Pratik Dhar, Sr. Advocate,

Mr. Pappu Adhikari

... For the petitioner.

Mr. Subrata Mukherjee

Ms. Basabi Roy Chowdhuri

Ms. Kakali Dutta

... For respondent nos. 1-3.

Mr. Sudipta Panda

Ms. Mun Mun Tiwary

... For the State.

On February 17, 2016, Respondent no. 1 published an advertisement for filling up the post of Registrar. The petitioner applied for the said post in response to the advertisement.

No further recruitment process was carried out following the said advertisement by the Institute. Thereafter, the Institute published another advertisement on February 03, 2017 for filling up the said post of Registrar. However, it was clarified in the said advertisement that the candidates who had applied in response to the earlier advertisement dated February 17, 2016, would be eligible to participate in the selection process without any further application.

Nevertheless, the Institute failed to complete the selection process following the later advertisement as well.

The University again endeavoured to fill the post in question by publishing another advertisement on May 22, 2019.

The petitioner challenged the said third advertisement by filing this writ petition.

Mr. Pratik Dhar, learned senior advocate appearing for the petitioner submits that the Institute was restrained from filling up the post following the said advertisement by an interim order passed in this writ petition.

The interim order was passed on June 17, 2019, and the same is no more in force as on date, though it was earlier extended from time to time.

Mr. Dhar, learned advocate further submits that the Institute is under an obligation to complete the selection process for the post in question within a reasonable period of time. In support of his submission he relies upon a judgment reported at **(2001) 10 Supreme Court Cases 556 (Chandgi Ram vs. University of Rajasthan)**.

Mr. Subrata Mukherjee, learned advocate representing respondent nos. 1, 2 and 3 submits that the Institute has already adopted a resolution to

complete the selection process in a time-bound manner. Though the Institute has decided to cancel the earlier three advertisements and to issue a fresh advertisement inviting fresh applications for the post of Registrar, the Institute would allow all the candidates to participate in the selection process, who applied following the earlier three advertisements as referred to in this judgment.

As on date there is no apparent dispute between the parties and there is no justification to keep this writ petition pending.

Accordingly, this writ petition is disposed of with a direction upon the Institute, respondent no. 1 to complete the selection process for the post of Registrar as expeditiously as possible, in accordance with law.

Needless to mention that the Institute will allow the petitioner to participate in the selection process for the post in question.

Accordingly, WPA 9771 of 2019 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.)