

**IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE**

Present:

The Hon'ble **Justice Kausik Chanda**

W.P.A. No. 23952 of 2022

SRI PRITAM MALLICK

-VERSUS-

STATE OF WEST BENGAL AND OTHERS

AND

W.P.A. No. 17742 of 2022

GITA RAJAK

-VERSUS-

THE STATE OF WEST BENGAL AND OTHERS

AND

W.P.A. No.28475 of 2022

APARNA TALUKDAR

-VERSUS-

THE STATE OF WEST BENGAL AND OTHERS

For the petitioner (W.P.A. No.23952 of 2022)	: Mr. N.C. Bihani, Adv., Ms. P.B. Bihani, Adv., Mr. Soumyajit Ghosh, Adv., Mr. Soumya Mukherjee, Adv.
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For the petitioner : Mr. Partha Sarathi Das, Adv.,
(W.P.A. No. 17742 of 2022) Mr. Hafiz Ali, Adv.,
Ms. Shanta Sarkar, Adv.

For the petitioner : Mr. Soumya Ray, Adv.,
(W.P.A. No. 28475 of 2022) Mr. Uttam Basak, Adv.

For the University : Mr. Amitava Chaudhuri, Adv.,
Mr. N. Roy, Adv.

For the State : Mr. Tapan Kumar Mukherjee, Sr. Adv.,
(W.P.A. No.23952 of 2022) Mr. Rajat Dutta, Adv.,
Ms. Saheli Mukherjee, Adv.

For the State : Mr. Tapan Kumar Mukherjee, Sr. Adv.,
(W.P.A. No.17742 of 2022) Ms. Saheli Mukherjee, Adv.

For the State : Ms. Chaitali Bhattacharya, Adv.,
(W.P.A. No.28475 of 2022) Mr. Subhendu Roychoudhury, Adv.

Hearing concluded on : 16.03.2023

Judgment on : 12.07.2023

Kausik Chanda, J.:-

The moot question addressed in these writ petitions is whether, in absence of a scheme, the petitioners in these cases can claim for compassionate appointment. Due to the shared legal question, all the three writ petitions were taken up for hearing together and are disposed of by this judgment and order.

2. Mr. N.C. Bihani, learned advocate appearing for the petitioner in W.P.A. No. 23952 of 2022, has submitted that Statute 5 (CNTE)(4)(a) of the Kalyani University Statutes, namely Statutes Relating to Terms and Conditions of Service and the Minimum Emoluments of Non-teaching Staff of All Colleges Affiliated to the University other than Government Colleges (in short, the said Statutes) provides for a specific provision relating to the recruitment of non-teaching employees on compassionate ground under died in harness category. Mr. Bihani has submitted that in view of the existence of a statutory provision for appointment on compassionate ground, the respondent authorities are obliged to consider the candidature of the petitioners. Mr. Bihani has further submitted that the said Statutes are framed in exercise of powers conferred by Clause (i) of Section 21 read with Clause (i) of Section 45 of the Kalyani University Act, 1981 (in short, the said Act of 1981). Mr. Bihani has referred to Section 46(2) of the said Act of 1981 which, inter alia, provides that a Statute passed in the manner provided in Section 46(1) shall be presented to the Chancellor for assent and shall come into force on being assented to by the Chancellor in

consultation with the Minister. He has also referred to Section 46(3) of the said Act of 1981 to highlight that a Statute shall remain in force until repealed or amended by a new Statute similarly passed and assented to by the Chancellor. Mr. Bihani has further submitted that as per Rule 7 of the Rules of Business, Government of West Bengal, the Council of Ministers shall be collectively responsible for all advice tendered to the Governor and all orders issued in the name of the Governor, whether such advice is tendered or such orders are authorised by an individual Minister on a matter appertaining to his department or as the result of discussion at a meeting of the Council or the Cabinet or howsoever otherwise. According to Mr. Bihani, the Statutes were formulated with the approval of the State and the stand of the respondents that the proposal for compassionate appointment of the deceased family members of non-government Colleges should not be referred either from the Directorate office to the Department or from the College to Directorate office until a policy in that regard adopted by the State is not sustainable in the eye of law. Mr. Bihani has further submitted that the West Bengal Universities and Colleges (Administration and Regulation) Act, 2017 (in short, the said Act of 2017) has no manner of application in the present case as has been sought to be agitated by the respondent University. He has submitted that the said Act of 2017 is silent on compassionate appointment and as such, the Statutes of the Kalyani University cannot be said to be repugnant to the provisions of the said Act of 2017.

3. Mr. Bihani has further argued that it is a rule of construction that when the later enactment is worded in affirmative terms without any negative, it does not impliedly repeal the earlier law. In support of this proposition, Mr. Bihani has relied upon the judgment reported at **AIR 1967 SC 1581 (*Northern India Caterers (Private) Ltd. v. State of Punjab*)**. Mr. Bihani has also argued that rights conferred by Statutes or statutory rules cannot be restricted or taken away by issuing circulars/ memorandums/ notifications. To buttress his argument, Mr. Bihani has placed reliance upon the judgment reported at **(2004) 1 Cal LT 541 (*Swapna Lahiri v. State of West Bengal*)**.

4. For the proposition that the circulars, which are contrary to the statutory provisions, have no existence in law, Mr. Bihani has relied upon the judgment reported at **(2008) 13 SCC 1 (*Commissioner of Central Excise, Bolpur v. Ratan Melting & Wire Industries*)**.

5. Mr. Bihani has also relied upon the judgments passed in **W.P.A. No.6708 of 2017 (*Ashis Das & Anr. v. The State of West Bengal & Ors.*)**, **W.P. No.9484(W) of 2017 (*Arghya Maity @ Nirmalya Maity v. State of West Bengal & Ors.*)**, **W.P. No.29281(W) of 2015 (*Pallabi Banerjee v. The State of West Bengal & Ors.*)** and **WP No.4228(W) of 2019 (*Prakash Chandra Ghosh v. State of West Bengal & Others.*)** to emphasise that considering the statutory provisions for compassionate appointment this Court on different occasions directed the respondent

authorities to consider the case of the petitioners therein for compassionate appointment even in the absence of any scheme.

6. Mr. Amitava Chaudhuri, learned advocate, representing Kalyani University *per contra* has submitted that compassionate appointment is not a regular or standard mode of appointment, and thus, any appointment under such category is entirely dependent on the scheme of the appointing authority, i.e., the State. In the present case, there is no scheme of the State Government for compassionate appointment under the died in harness category. Mr. Chaudhuri has submitted that the administrative aspects of the University, including appointments, scales of pay, disciplinary actions are totally under the control and domain of the State. He has further submitted that in the said Act of 1981, there is no provision for compassionate appointment. Moreover, the Statutes of Kalyani University also lack a specific provision for compassionate appointment. The Statutes of the Kalyani University merely say that a candidate under died in harness category will only be given some preference and the said candidature can only be considered when the State frames a scheme in this regard. He has suggested that in the absence of any scheme, no one can be appointed under the category of compassionate appointment.

7. Mr. Chaudhuri has placed reliance upon a judgment passed by a learned Single Judge of this Court in **W.P.A. No.5902 of 2018 (*Bandana Dalui v. The State of West Bengal & Ors.*)** to argue that in the said judgment, it has been held by a learned Single Judge of this Court that the

Calcutta University First Statutes, 1979 do not provide for compassionate appointment. Since the relevant provisions of Kalyani University are similar to the provisions for compassionate appointment contained in the First Statutes of Calcutta University, Mr. Chaudhuri has asserted the said judgment applies to Kalyani University as well.

8. Mr. Chaudhuri has submitted that Clause (4)(a) of Statute 5 (CNTE) of the said Statutes relates to recruitment and promotion. The said provision does not speak for compassionate appointment even in the absence of an appropriate scheme framed by the State. It is further submitted that if the State Government introduces any scheme for compassionate appointment, candidates will be entitled to be considered under the scheme from the date of its implementation. Since as on date there is currently no scheme in place, the cases of the petitioners cannot be considered. To argue that in absence of any scheme, rules, regulations, compassionate appointment cannot be granted, Mr. Chaudhuri has relied upon the following judgments of the Supreme Court: **(2007) 8 SCC 148 (Kendriya Vidyalyaya Sangathan v. Dharmendra Sharma)**, **(2019) 14 SCC 646 (Union of India v. V.R. Tripathi)**, **(2007) 2 SCC 481 (National Institute of Technology v. Niraj Kumar Singh)**, **(2011) 4 SCC 209 (Bhawani Prasad Sonkar v. Union of India)** and **(1994) 2 SCC 723 (U.P. Public Service Commission U.P., Allahabad v. Alpana)**.

9. Mr. Chaudhuri has also submitted that the State by G.O. No.690-Edn(C.S) dated 22.08.2014 has directed that the proposals for

compassionate appointment of the family members of the deceased, non-Government Colleges employee should not be referred either from the Directorate office to the Department or from the College to the Directorate office until a policy in this regard is adopted by the State. Mr. Chaudhuri has further argued that the West Bengal Universities (Control of Expenditure) Act, 1976, prohibits appointments with financial implications by the University without the approval from the State and, therefore, in the absence of any scheme from the appointing authority, the question of approval from State does not arise.

10. Finally, it has been argued by Mr. Chaudhuri that Section 21 of the said Act of 2017 gives an overriding effect against any law, custom, usage, Statutes, Ordinances, Rules and Regulations. Since the said Act of 2017 does not provide for compassionate appointment, the University cannot travel beyond the scope of the said Act of 2017 in granting compassionate appointment. In view of the said Act of 2017, the University Statutes are no more available to a candidate to secure a compassionate appointment. The University is bound by the said Act of 2017 as well as the orders, notifications, and directives issued by the State from time to time. Accordingly, he has prayed for the dismissal of these writ petitions.

11. In all these cases, like the University, it is also the common stand of the State that in the absence of any scheme, the case of the petitioners for compassionate appointment cannot be considered.

12. I am unable to accept the stance taken by the University as well as by the State in these cases.

13. First of all, it has to be noticed that Statute 5 (CNTE) of the “Statutes Relating to Terms and Conditions of Service and the Minimum Emoluments of Non-teaching Staff of All Colleges Affiliated to the University other than Government Colleges” acknowledges the right of compassionate appointment.

14. The said Statute has been framed in exercise of powers conferred by Clause (i) of Section 21 read with Clause (i) of Section 45 of the said Act of 1981 by the Executive Council of the University.

15. Section 21(i) of the said Act of 1981 authorises the Executive Council of the University to exercise and perform the functions to initiate proposal for making the Statute and Ordinances including proposal for amendment or repeal thereof. The relevant provisions of the Kalyani University Act, 1981, are quoted below:

“Powers and functions of the Executive Council.

21. Subject to the provisions of this Act, the Executive Council shall exercise the following powers and perform the following functions:-

(i) to initiate proposal for the making of Statutes and Ordinances including proposals for amendment or repeal thereof, in the manner hereinafter provided; ”

16. Section 45(i) provides for the power to make Statutes for the terms and condition of service and the minimum emoluments for posts of

Principals, Teachers and such other employees as the University may deem fit, of all affiliated colleges, other than Government Colleges.

17. Section 46 of the said Act of 1981 provides for the manner in which the Statutes are to be made. The said provision is quoted below:

“46. (1) The Executive Council may of its own motion, and shall, when required by the Court, make a draft of any Statute and submit the same to the Court. The draft so submitted shall be considered by the Court at a meeting or meetings to be held within a period of six weeks from the date of such submission (hereinafter referred to as the said period), and the draft so submitted shall, unless rejected or amended by the Court before the expiry of the said period by a majority of the total number of its members existing at the time, be deemed to have been passed by the Court. If the Court so rejects or amends the draft of any Statute, it shall be sent back to the Executive Council with the views of the Court for reconsideration. Thereupon, the Executive Council shall reconsider the draft and resubmit it to the Court with such changes as it may deem necessary. On such resubmission of the draft, it shall again be considered by the Court at a meeting or meetings to be held within a period of six weeks from the

How to make Statutes.

date of such submission (hereinafter referred to as the latter period) and the draft so resubmitted shall, unless rejected by the Court before the expiry of the latter period by a majority of the total number of its members existing at the time, be deemed to have been passed by the Court without any amendment, or be passed by the Court with such amendments as it may deem fit to make therein within the latter period and by the same majority as aforesaid.

(2) A Statute, passed in the manner provided in subsection (1), shall be presented to the Chancellor for assent and shall come into force on being assented to by the Chancellor in consultation with the Minister.

(3) A Statute shall remain in force until repealed or amended by a new Statute similarly passed and assented to by the Chancellor.”

18. Statute 5 (CNTE) of the said Statutes under the heading “recruitment and promotion” provides as follows:

“Recruitment and Promotion:

St.5(CNTE)- (1)Recruitment for the posts of Head Clerk or Accountant or Cashier or Upper Division Clerk etc. may be made in the following manner :-

- (a) Whenever a permanent vacancy occurs in the post of Head Clerk, the post may be filled up by transferring the existing Accountant or Cashier

or Upper Division Clerk. If no such suitable candidate is available, the post may be filled up by promotion from amongst the employees holding any of the posts referred to in sub-clause (ii) of clause (a) of St.3 (CNTE).

- (b) Whenever a permanent vacancy occurs in the post of Accountant or Cashier or Upper Division Clerk etc., the post may be filled up by promotion from amongst the employees holding any of the posts referred to in sub-clause (ii) of clause (a) of St.3 (CNTE).
 - (c) In case no suitable candidate for such transfer or promotion is available, such permanent vacancy shall be filled up by direct recruitment in accordance with the procedure laid down for the purpose.
 - (d) In the matter of such transfer or promotion, attendance, experience, efficiency, seniority including academic qualifications, character rolls shall have to be taken into consideration.
- (2) Recruitment for the posts referred to in sub-clause (ii) of clause (a) of St.3 (CNTE) may be made in the following manner:-
- (a) Appointment to all such posts shall be made by the college from amongst the- internal candidates holding substantive post of lower sub-ordinate staff, candidates sponsored by the Employment Exchange(s) and candidates from existing non-teaching employees of other non-Government colleges within the State of West Bengal, on the basis of recommendation of a Selection Committee.
 - (b) Appointment shall ordinarily be made on the basis of a written examination and interview by the Selection Committee.
 - (c) In filling up of vacancies in the said posts, efficient and experienced members of the lower

subordinate staff having the requisite qualification shall get preference over others.

- (3) Recruitment for the posts referred to in clause (b) of St.3 (CNTE) may be made in the following manner:-
 - (a) Appointment to all such posts shall be made by the college from amongst the candidates sponsored by the Employment Exchange(s) and candidates from existing non-teaching employees of other non-Government colleges within the State of West Bengal, on the basis of recommendation of a Selection Committee.
 - (b) Appointment shall ordinarily be made on the basis of interview by the Selection Committee.
- (4)(a) Provision relating to recruitment of non-teaching employees of affiliated Colleges, as laid down in the foregoing Statutes, shall not apply in cases where dependant of any employee dying in harness is to be offered a job on compassionate ground consistent with his qualification. He shall have preference over others in the matter of appointment or placement, as the case may be;
- (b) The exception mentioned in clause (a) shall also be applied mutatis mutandis in case of a College-employee who is disabled permanently or otherwise incapacitated rendering him unfit to continue in service, provided this fact of disablement is certified by a medical officer authorised by the Director of Health Services.

Explanation: A dependant of an employee shall mean husband or wife as the case may be, son unmarried or widowed daughter, unmarried or widowed sister, brother or parent, provided such relation of the employee is solely dependent on him.

- (5) In observing the procedure of filling up of the posts mentioned in St.3 (CNTE), either by direct recruitment or by promotion, the

principle of reservation of posts for Scheduled Caste, Scheduled Tribe etc. should be followed as per the orders issued by the State Government from time to time.

- (6) If a candidate from existing non-teaching employees of other non-Government colleges within the State of West Bengal is appointed in any post of the college, his pay shall be protected on the basis of relevant orders issued by the State Government.
- (7) In filling up all the posts, qualifications for each category of posts shall be as per the orders issued by the State Government from time to time for its employee.”

19. It is also necessary to take note of the classification of non-teaching employees of the University as provided under Statute 3 (CNTE) of the said Statutes.

“Classification of Non-teaching Employees:

St.3(CNTE)-For the purposes of these Statutes, the Non-teaching Employees concerned are classified as follows-

a) Ministerial Staff comprising the posts of-

- i) Head Clerk, Cashier, Accountant, Upper Division Clerk;
- ii) Clerk, Typist, Steno Typist, Library Clerk, Electrician-cum-care taker (ITI diploma holder);
- iii) Store keeper (Chemistry), Instrument keeper (Physics), (now inadmissible as per existing norms but existing as personal post) and such other post(s) as approved by the State Government.

b) Lower Subordinate Staff comprising the posts of-

- i) Generator/Pump/Gas Plant operator cum mechanic, Specimen collector (now

inadmissible as per existing norms but existing as personal post);

- ii) Peon, Guard, Driver, Laboratory attendant, Library peon, Mali, Lady attendant, jamader/sweeper, Electrician-cum-caretaker (for two years experience) and such other post(s) as approved by the State Government.”

20. Clause (4) of Statute 5 (CNTE) of the said Statutes introduces an exception to the standard mode of recruitment for filling up the posts mentioned in Statute 3 (CNTE). It provides that posts mentioned in Statute 3 (CNTE) may be filled up by compassionate appointment by the dependant of any employee who died in harness. Such appointment has to be consistent with his/her qualification. The said dependant shall have a preference from others in the matter of appointment of placement as the case may be.

21. It is clear that Clause (4) of Statute 5 (CNTE) of the said Statutes obliges the authority to offer compassionate appointments in deserving cases without adhering to the regular recruitment process for the posts mentioned in Statute 3 (CNTE) of the said Statutes.

22. I also do not accept the contention put forth by the University that, in the absence of a scheme compassionate appointment cannot be granted due to the West Bengal Universities (Control of Expenditure) Act, 1976, which prohibits any appointment with financial implications without the approval of the State.

23. It has been rightly pointed out by Mr. Bihani that Section 46(2) of the said Act of 1981 provides that a Statute, passed in the manner provided under Section 46(1) of the Act of 1981 shall be presented to the Chancellor for assent and shall come into force on being assented to by the Chancellor in consultation with the Minister. Therefore, the State cannot decline to enforce a statutory provision that has been framed in consultation and with the approval of the State.

24. I am also of the view that West Bengal Universities and Colleges (Administration and Regulation) Act, 2017, cannot hinder compassionate appointment. Section 21 of the said Act of 2017 is quoted below:

“Overriding
effect.

21. Notwithstanding anything contained in any other law or in any custom or usage for the time being in force, or in any Statutes, Ordinances, Rules and Regulations made by any authority under any law for the time being in force that is repugnant to the provisions of this Act, the provisions of this Act, to the extent of such repugnancy, shall have overriding effect against any such law, custom, usage, Statutes, Ordinances, Rules and Regulations.”

25. Suffice it to say that the Act of 2017 does not contain any provision for compassionate appointment and as such, there cannot be any repugnancy between the said Statutes of Kalyani University and the said Act of 2017, insofar as the provision for compassionate appointment is

concerned. The said Act of 2017 does not override the provision of compassionate appointment as contained in the Statutes of Kalyani University.

26. In the case of **Ashis Das (supra)** and **Arghya Maity (supra)**, this Court has rejected the contention that in absence of a scheme framed by the State, the case of the petitioners for compassionate appointment cannot be considered, and directed the State to consider the case of the petitioners therein for compassionate appointment in light of the Statute 5 (CNTE) (4)(a) of the said Statutes. It has also to be noted that in the case of **Pallabi Banerjee (supra)** and in **Prakash Chandra Ghosh (supra)**, this Court, even in the absence of any scheme, has directed to consider the case of the petitioners for compassionate appointment in the light of the provisos to Statute 6(a) under Chapter-XIII of the Calcutta University First Statutes, 1979, which are similar to Statute 5 (CNTE) (4)(a) of the Kalyani University Statutes. In view of the aforesaid consistent views, I am not inclined to follow the view taken in **W.P.A. No.5902 of 2018 (Bandana Dalui v. The State of West Bengal & Ors.)**.

27. This Court has specifically dealt with the issue as to whether in absence of a scheme, compassionate appointment can be granted. It has been held by this Court in **W.P.A. No.5891 of 2023 (Shrimati Binapani Murmu v. The State of West Bengal & Ors.)** as follows:

“When the Statute recognises the right to compassionate appointment, the said right cannot

be negated on the specious plea that there is no scheme in place to give effect to the Statute. When the Statute confers a substantial right to appointment, a scheme can only provide the procedural framework to give effect to such right. A scheme typically provides for the procedural aspects related to compassionate appointments, such as the time limit within which an applicant must approach the authority to seek a compassionate appointment, or the financial criteria to ascertain the financial need of the deceased employee's family. The scheme may also provide for the procedure to form an enquiry committee to assess the financial need of the family. All these are only procedural aspects, only to uphold the recognised statutory right to compassionate appointment.

It is unreasonable to suggest that the authorities will not frame a scheme to give effect to the statutorily recognised right and deny the said right on the ground that there is no scheme in place. The respondents were obliged to frame a scheme to implement such right."

28. This Court, in the aforesaid, case dealt with the provisions of the Vidyasagar University First Statutes, 1983. Given the similarity in the provisions concerning compassionate appointments, there is no need for a different view.

29. Having regard to the facts of these cases, it is not necessary to separately deal with the other judgments relied upon by the parties before this Court. However, it is important to acknowledge that there cannot be any quarrel with the propositions of law laid down in the said judgments.

30. Now I propose to deal with the present three writ petitions separately.

In Re: W.P.A. No.23952 of 2022

31. The petitioner's father died in harness on August 26, 2020, while serving as a Laboratory Attendant at Berhampore Girls' College. The petitioner applied before the relevant College seeking compassionate appointment on January 13, 2021. The case of the petitioner has been rejected by the Director of Public Instruction, West Bengal, by a memo dated August 02, 2021, stating, inter alia, that this Directorate is not in a position to go beyond the G.O. No-690-Edn(CS) dated 22.08.2014 issued by the Deputy Secretary, Higher Education Department. By the said order dated August 22, 2014, the Deputy Secretary, Higher Education Department stated, inter alia, that the proposals of compassionate appointment should not be referred either from Directorate officer to Department or from College to Directorate office until a proposal in that regard was adopted by the Government.

32. In view of the discussion above, the order dated August 2, 2021, issued by the Director of Public Instruction appearing at page 44 of the writ petition and G.O. No.690-Edn(CS) dated 22.08.2014 issued by the Deputy Secretary, Higher Education Department are set aside.

In Re: W.P.A. No.17742 of 2022

33. In this case, the petitioner's husband died in harness on September 5, 2008, while he was serving as a "Guard" at the relevant College. The petitioner was given an ad-hoc appointment by the College as a "Guard" on compassionate ground on September 6, 2011. The State, by a memo dated

January 9, 2015, declined to approve her appointment on compassionate ground in the absence of a Government policy. In view of the discussions above the said memo dated January 9, 2015, is set aside.

In Re: W.P.A. No.28475 of 2022

34. In this case, the father of the petitioner, who was a Laboratory Attendant at Chakdaha College, Nadia, died in harness on February 5, 2016.

35. An application for the appointment of the petitioner on compassionate appointment was made before the College on March 2, 2016, and again on June 9, 2022, another application was made. Her case has not yet been considered.

36. Accordingly, all the aforesaid writ petitions are allowed with the following directions upon the respondents.

37. The petitioners' case should be considered on the basis of whether there is an ongoing financial crisis in the family that justifies a compassionate appointment. The relevant Colleges shall cause an enquiry to ascertain whether there is an existing financial crisis in the family of the petitioners within two weeks from date. If the enquiry report justifies a compassionate appointment, the respondent-Colleges shall recommend the compassionate appointment of the petitioners in a position commensurate with their educational qualifications and forward all relevant documents to the Director of Public Instructions within one month. The Director of Public Instructions shall consider the case of appointment of the petitioners and communicate the

decision to the Colleges and the petitioners within two weeks from the date of receiving the documents.

38. Furthermore, it is imperative to note that despite several consistent orders passed by this Court, the State has been persistently denied the legitimate claims for compassionate appointment citing the absence of a scheme.

39. Such practices should not be allowed to continue indefinitely. Therefore, I also direct the Executive Council of Kalyani University to frame a scheme within a period of six months from the date of communication of this order to facilitate the implementation of the first proviso of Clause (4) of Statute 5 (CNTE) of Kalyani University Act, 1981. After framing the scheme, the university shall submit it to the Higher Education Department, Government of West Bengal for approval. The Higher Education Department of the State shall approve the scheme with the required modifications, if any, within one month thereafter. Once the scheme is approved by the State, it should be promptly circulated to the University and the Colleges affiliated with the University.

40. Accordingly, **W.P.A. No.23952 of 2022, W.P.A. No.17742 of 2022** and **W.P.A. No.28475 of 2022** are disposed of.

41. Urgent certified website copies of this judgment, if applied for, be supplied to the parties subject to compliance with all the requisite formalities.

(Kausik Chanda, J.)