

14.07.2023
Item No.14
Court No.11
Avijit Mitra

WPCT 98 of 2021

In re: An application under Article 226 of the
Constitution of India;
And

Union of India & ors.
- Versus -
Suvendu Chowdhury

Mr. P.C. Das,
Mr. S.K. Ganguli
...for the respondent

The present writ petition has been preferred
challenging an order dated 16th September, 2021
passed by the learned Tribunal in an original
application, being O.A./350/00185/2019.

Records reveal that twice on 23rd December,
2021 and 13th January, 2022 adjournment was sought
for on behalf of the petitioners. Today, also no one
appears on their behalf and no accommodation has
been sought for.

Mr. Das, learned advocate appearing for the sole
respondent namely, Suvendu Chowdhury, submits
that by the order impugned the learned Tribunal
directed the petitioners herein to consider the
performance of the respondent in the earlier written
examination as well as in the *viva-voce* and thereafter
to proceed to decide on the respondent's application in

accordance with law, in terms of the recruitment rules and strictly in accordance with merit.

He submits that during pendency of the present writ petition the petitioners have complied with the order passed by the learned Tribunal and granted promotion to the respondent in the post of Assistant Commercial Manager *vide* memo dated 16th May, 2023. Let a copy of the said memo, as produced, be kept on record.

He further informs that one Mr. Anurag Tripathi, similarly situated with the respondent herein, has also been granted promotion to the post of Assistant Commercial Manager. The order passed by the learned Tribunal on 16th September, 2021 in the application filed by Mr. Anurag Tripathy was also challenged by the Union of India in a writ petition being W.P.C.T. 97 of 2021 and the said writ petition was disposed of by a coordinate Bench of this Court by a judgment dated 11th January, 2023 without interfering with the order passed in the original application preferred by Anurag Tripathy. Let the copy of the said judgment, as produced, be kept on record.

In view thereof, it appears that the petitioners are not interested in the matter any further and accordingly, the writ petition being WPCT 98 of 2021 is dismissed.

(Partha Sarathi Chatterjee, J.) (Tapabrata Chakraborty, J.)

