

19.09.2023
Item No.20
gd/ssd

WPA(P)/508/2023
MIJANUR RAHAMAN
VS
ALIAH UNIVERSITY AND ORS.

Ms. Tuhin Shabnam
..for the Petitioner.

Mr. Raghunath Chakraborty,
Ms. Amrita De
..for the Aliah University.

1. We have heard the learned advocates for either of the parties.

2. By this writ petition the writ petitioner seeks to challenge the order passed by the Excellency, the Governor of West Bengal dated 19th July, 2023 authorising Sri M Wahab, IPS (Retd.) to exercise the powers and perform the duties of the Vice-Chancellor for Aliah University, West Bengal under The Aliah University Act, 2007 till further orders.

3. The primary contention of the petitioner is that the appointee who has been permitted to exercise the powers and perform the duties of the Vice-Chancellor has attained 70 years when it is against the provisions of the University Act. Identical orders passed by His Excellency, the Governor of West Bengal were put to challenge before this court in writ petition which was dismissed against which an appeal has been preferred before the Hon'ble Supreme Court.

4. In the said decision the Court has also considered as to the scope and authority given for a person who is authorized to exercise the powers and perform the duties of the Vice-Chancellor and the distinction has been clearly brought out.

5. Thus, we find no grounds to issue a Writ of Quo Warranto as sought for.

6. The writ petition fails and the same is dismissed.

(T. S. SIVAGNANAM)
CHIEF JUSTICE

(HIRANMAY BHATTACHARYYA, J.)