

20.09.2023
SL No. 18
Court No. 8
(gc)

MAT 1582 of 2019
CAN 1 of 2020 (Old No: CAN 1381 of 2020)
CAN 2 of 2020 (Old No: CAN 1382 of 2020)

Dr. Anil Kumar Pushkar
Versus
State of West Bengal & Ors.

Mr. Amarendra Chakraborty
...for the Appellant.
Mr. Partha Sarathi Sengupta, Sr. Adv.,
Mr. Soumya Majumder,
Mr. Victor Chatterjee,
Ms. Mayuri Ghosh
...for the Presidency University.

Re: CAN 1 of 2020
(Old No: CAN 1381 of 2020)

1. Sufficient cause being shown for not being able to file the memorandum of appeal within the period of limitation.
2. The delay of 390 days in filing the memorandum of appeal is condoned.
3. Accordingly, the application for condonation of delay is allowed and disposed of.

Re: MAT 1582 of 2019
With
CAN 2 of 2020
(Old No: CAN 1382 of 2020)

1. In view of the fact that the appellant stands on the same footing as that of Dr. Satyadeo Prasad and a Coordinate Bench on 30th July, 2019 dismissed the appeal preferred by Dr. Satyadeo Prasad in MAT 1304 of 2018 with CAN 8881 of 2018, the present appeal involving similar

questions of law and fact are required to be dismissed.

2. In fact, Dr. Satyadeo and the present appellant filed the writ petition jointly but have decided to file two separate appeals. In fact, the appeal was dismissed by the Coordinate Bench on 30th July, 2019 and only thereafter the present appeal has been filed with a prayer for condonation of delay.
3. We have been informed that judgment in Dr. Satyadeo Prasad has attained finality.
4. On such consideration, we do not find any reason to interfere with the impugned order and affirmed the same on the reasoning in Dr. Satyadeo Prasad (supra) decided by the Coordinate Bench on 30th July, 2019.
5. Accordingly, the appeal and the application stand dismissed.
6. However, there shall be no order as to costs.
7. Urgent Photostat certified copy of this order, if applied for, be given to the parties on usual undertaking.

(Prasenjit Biswas, J.)

(Soumen Sen, J.)