

11.12.2023

Item No. 46

Ct. No. 238

AKG

WPA 25740 of 2023
Dr. Somenath Das
Vs.
State of West Bengal & Ors.

Mr. Narayan Debnath,
Mr. Saumyajit Ghoshal,
Ms. Mampi Das,
Mr. Saswata Chatterjee,
Ms. Tanima Debnath

...for the Petitioner

Mr. Anand Keshari,
Mr. Joy Shankar Mukherjee

...for Respondent Nos. 8-10.

The petitioner challenges the selection of respondent no. 9 as an Assistant Professor in Botany at the University of Burdwan. The petitioner contends that the Ph.D. degree of respondent no. 9 was obtained while he was serving as an Assistant Teacher of a School namely, Shantinagar Vidya Mandir, Asansol.

It has also been argued that respondent no. 9 has simultaneously worked as a Guest Lecturer at Banwarilal Bhalotia College at Asansol.

The letter disclosed by the petitioner in this writ petition at page 36 from the Headmaster of Shantinagar Vidya Mandir suggests that a conditional permission was given by the relevant District Inspector of Schools (Paschim Burdwan) to

respondent no. 9 to pursue the Ph.D. course without hampering the duty in the school, as a special case.

It further appears that Banwarilal Bhalotia College by a letter dated October 5, 2023, also clarified that respondent no. 9 was appointed as one of the guest faculty members. The college also clarified that respondent no. 9 made voluntarily service without remuneration and without hampering his assignments at the school. The aforesaid stands of the college and the school absolutely make it clear that the case made out by the petitioner is frivolous.

Accordingly, **WPA 25740 of 2023** is dismissed.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Kausik Chanda, J.)