

03.04.2024
Item No. 32
Ct. No. 238
AKG

WPA 1214 of 2024
Sovarani Memorial College & Anr.
Vs.
The State of West Bengal & Ors.

Mr. Amitabha Ghosh, Mr. Siddhartha Sankar Mondal, Ms. Nabanita Chatterjee, Ms. Arunima Das Sharma	...for the Petitioner
Mr. Priyankar Saha, Ms. Srijani Mukherjee	...for the State
Ms. Debjani Ghosal	...for UGC

Respondent no. 6 was an Assistant Professor of English at Sovarani Memorial College, Howrah, petitioner no. 1 herein. Petitioner no. 2 is the Principal of petitioner no. 1.

It is the case of the petitioner that a project was granted by University Grants Commission in favour of the college. A fund of Rs. 1,62,000/- was allotted for the project to be undertaken by respondent no. 6. The college, accordingly transferred the said fund in favour of respondent no. 6.

Learned advocate appearing for the petitioner submits that respondent no. 6 could not complete the project. Consequently, the University Grants Commission asked for refund of the grant. The college was compelled to refund the said sum of Rs. 1,62,000/- to the University Grants Commission.

This writ petition has been filed for a direction upon respondent no. 6 to replenish the said amount of Rs. 1,62,000/-. The petitioners further pray that the University Grants Commission should take appropriate steps against respondent no. 6.

I am not inclined to entertain the prayer of the petitioners. Respondent no. 6 has already resigned from the college. The petitioners were at liberty to take appropriate steps for recovering of the funds for the alleged failure of respondent no. 6 to complete the project during her service tenure, but nothing was done by the college against her. A writ Court cannot be expected to pass an order against a private individual for recovery of money.

Accordingly, I do not see any merit in this writ petition. However, I make it clear that University Grants Commission as well as the college shall be at liberty to initiate appropriate steps in accordance with law to recover the funds, if they so desire.

WPA 1214 of 2024 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.)