

10 14.06.2024
NB Ct. 17

WPA 12457 of 2024

Dr. Mijanur Rahaman
Vs.
The State of West Bengal & Ors.

Mr. Debasish Ghosh,
Ms. Amrita Panja Moulick.
...for the petitioner.

Mr. Amitava Chowdhury,
Mr. Bikramjit Mandal.
...for the State.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner is an Associate Professor of Kidderpore College. He had joined this College on 03.01.2015 although he was supposed to join the service on 02.01.2015. As the petitioner was in transit from his earlier place of service in Uttar Pradesh, he could reach the college only on 02.01.2015 in the afternoon when the process for effecting joining of service could not be undertaken. At present, the petitioner wants to avail of an opportunity of career advancement scheme. However, the authorities are contemplating that a day's delay in joining service would amount to a break in service. An explanation was sought from the petitioner, which was provided. However, the State has not yet taken a final decision on the issue. Although there is no provision specifically covering this point, there are other provisions in pari materia, which would allow the petitioner to avail of such career advancement in spite of being a day late in joining service.

Learned counsel appearing on behalf of the State submits that the State would soon take a final decision on this issue.

In view of the fact that the State has not yet taken a final decision on the issue, the writ petition is disposed of by directing the concerned authorities of the State to take an appropriate decision in accordance with law and as expeditiously as possible, preferably within a period of four weeks from the date of communication of this order.

The College shall cooperate with the authorities of the State in this regard.

Urgent photostat certified copy of this order may be supplied to the parties expeditiously, if applied for.

(Jay Sengupta, J.)