

12.08.2024
Sl. No. 39.
D/L.
Mithun
Ct.No.17.

WPA 18222 of 2024

Dr. Apurba Chakraborty
Vs.
The State of West Bengal & Ors.

Mr. Subir Sanyal,
Mr. Biswarup Biswas,
Mr. Probal Sarkar,
Sk. Kiran

...for the petitioner.

Mr. Amitava Chaudhuri,
Mr. N.Roy

...for the Gour Banga University.

Mr. K.J.Yusuf,
Ms. Munmun Ganguly

...for the State respondents.

Affidavit-of-service filed on behalf of the
petitioner is taken on record.

Leave is granted to file supplementary affidavit
on behalf of the petitioner. The same is filed and is
taken on record.

Learned Counsel appearing on behalf of the
petitioner submits as follows. The petitioner is a
Inspector of Colleges for the respondent University.
He was also a having an additional charge of the
Registrar of the University for a particular period
between 2023-2024. There were several allegations
against the University. The State had to form an

Enquiry Committee. Thereafter, certain suggestions were given. But, these were not complied with by the University Authorities. As there was a recommendation to remove the then Registrar and replace him with the senior most Dean of a department, the petitioner was given the post of Registrar for a period. Surprisingly, he was replaced by the Librarian. This was not acceptable to many. Representations were made, but the same went unheard. In the meantime, the University Authorities decided to relocate the office of the Inspector. The same was given along with bulk of the furniture to the incumbent Registrar. Even the petitioner's car was taken away. This was objected to by the petitioner by an E-mail on 12.07.2024 at about 16:17 hours. On that date at around 10:22 p.m., the petitioner was served with the show-cause notice as to why he was allegedly absent in the meeting on 12.07.2024 and enquiring about his activities as the Inspector. In the meantime, the petitioner had made a representation to the University Authorities in respect of relocation of the petitioner's office and several other issues, which was not responded to. Necessary CCTV footage would show that the petitioner was very much present at the meeting on that day.

Learned Counsel appearing on behalf of the University denies the allegations made in the writ petition and submits as follows. There is a temporary arrangement that had to be made regarding relocation of the office of the Registrar and the Inspector of Colleges. This is purely an administrative decision and cannot be challenged by the petitioner before this Court. The questions asked about non-performance of the Inspector of Colleges are valid ones and if so asked, should be answered by the petitioner. As per the University records, copy of the judgement annexed by the petitioner in the supplementary affidavit (Page-18), the petitioner's name does not appear in the list of persons attending the meeting.

It appears that a representation was made by the petitioner in respect of relocation of his office and certain administrative issues concerning the University, some of which touched upon the rights of the petitioner. The said representation shall be considered by the respondent authorities in accordance with law and expeditiously, preferably within six weeks from the date of communication of this order.

So far as the show-cause notice is concerned, there are certain questions regarding performance of

the petitioner as an Inspector of Colleges. These are relevant questions that can be asked of an Inspector of Colleges. Whether the petitioner was present in the meeting on 12.07.2024 is ascertainable from circumstantial evidence and from recording available, if any. Therefore, if the petitioner replies to the show-cause, everything will be clear.

In view of the above, let the petitioner respond to the impugned show-cause notice within six weeks from this date. The University Authorities shall deal with the same in accordance with law and as expeditiously as possible. However, till a final decision is taken on the said show-cause notice, the CCTV footage available, if any, for the venue of the meeting shall be preserved and can be exhibited if any of the parties wants to rely on the same.

With these observations, the writ petition is disposed of.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Jay Sengupta, J.)