

16.05.2024
Item No. 193
Ct. No. 17
AKG

WPA 20741 of 2016
Subhash Chandra Roy
Vs.
National Institute of Technology (former
Regional Engineering College, Durgapur & Ors.

Mr. Swarup Paul,
Mr. Ashim Kr. Chatterjee,
Mr. Soumyajit Ghoshal,
Ms. Trishu Dutta,
Ms. Monalisha Mondal

...for the Petitioner

Ms. Rajashree Venket Kundalia,
Ms. Shivika Raisighania,
Ms. Dashika Tahlani

...for Respondent Nos. 1 to 3

The petitioner was appointed as a Lecturer in the Department of Applied Mathematics and Drawing at Regional Engineering College, Durgapur, West Bengal, presently known as National Institute of Technology, Durgapur ('the institute' in short) . He served there from December 2, 1974 to October 2, 1980. He left the institute and joined as a Lecturer in the Department of Applied Chemistry at Calcutta University, where he served from October 3, 1980 to January 5, 1981.

After his aforesaid tenure at Calcutta University, he joined as a Lecturer at Jadavpur University in the Department of Mechanical Engineering and ultimately, retired from the said university on May 31, 2007.

Post-retirement, the Registrar of Jadavpur University wrote two letters to the Registrar of the institute in the month of October, 2008, and March, 2009, seeking details of the service of the petitioner from December 2, 1974 to October 1, 1980 and the service book with all the relevant records for the said period.

It is the grievance of the petitioner that the said records have not been provided to Jadavpur University by the Registrar of the institute. The petitioner submits that due to non-supply of the service details and the relevant records, the retiral dues of the petitioner have not been settled as per his entitlement, resulting in severe financial loss to him.

The institute submits that the petitioner asked for the documents about 30 years after his departure from the institute. Despite diligent efforts, the documents could not be located. The institute was not under an obligation to retain the petitioner's service records for such a long period. The institute is not obliged to provide the documents under Right To Information Act, 2005 after a lapse of about 30 years.

I am of the view that this writ petition suffers from laches. The petition has been filed more than 8 years after his retirement. The petitioner has not furnished any proper explanation for the delayed approach before this Court.

I am also of the view that no fault can be found with the institute for its alleged failure to provide the service records of the petitioner after 30 years for the date of his departure from the institute.

Accordingly, I am not inclined to entertain this writ petition.

WPA 20741 of 2016 is dismissed.

Urgent certified *website* copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Kausik Chanda, J.)