

01.02.2024
SI No.2-3
Court No.8
(gc)

**MAT 1858 of 2023
with
I.A No. CAN 1 of 2023**

**The State Legal Services Authority
Vs.
Sri Anirban Sarkar & Ors.
with
COT 97 of 2023**

**Sri Anirban Sarkar
Vs.
The State Legal Services Authority & Ors.**

Mr. Partha Sarathi Bhattacharyya, Sr. Adv
Mr. Arindam Sen,
Md. Sahinurzaman

... For the Appellant in
MAT 1858 of 2023.

Mr. Ayan Banerjee
Ms. Debasree Dhamali
Mr. Dhiman Banerjee

... For the Respondent no. 1
in MAT 1858 of 2023 &
for the Appellant in
COT 97 of 2023.

Mr. Jayantan Samanta, Jr. Govt Adv.
Mr. Joydip Basu

... For the State.

1. In order to ascertain the steps taken by the State Legal Services Authority with regard to the writ petitioners for the post of Chief Legal Aid Defence Counsel for the District of Howrah, we directed the SLSA to produce the original record. It appears from the original record that there is no recommendation by the selection committee of these candidates. The matter was placed before the then Executive

Chairman, presently the Hon'ble the Chief Justice of this Court. The present Hon'ble the Chief Justice considered the report and recommended the issuance of fresh advertisement for the said post. The SLSA was of the view that none of the candidates could fulfil the NLSA guidelines.

2. In view of the fact that it is a very responsible position and that the Executive Chairman who is presently the Hon'ble the Chief Justice has taken a considered view, we are inclined to set aside the order impugned and direct the SLSA to act in terms of the direction of the Executive Chairman.
3. The appeal succeeds.
4. Accordingly, the appeal along with the application and cross appeal stand disposed of.
5. However, there shall be no order as to costs.
6. Urgent Photostat certified copy of this order, if applied for, be given to the parties on usual undertaking.

(Uday Kumar, J.)

(Soumen Sen, J.)