

06.03.2025
Item No.18,DL
Court No.19
A.J.

**IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION**

WPA 4695 of 2025

Dr. Niranjana Mandal

-Vs-

The State of West Bengal & Ors.

Mr. Indranil Nandi,
Mr. Sayak Konar.
.....for the petitioner.

Mr. Swapan Kumar Dutta,
Mr. Rajat Dutta.
.....for the State.

Mr. Nilanjana Bhattacharjee,
Mr. Saikat Dey.
.....for the University of Burdwan.

Mr. Probal Kumar Mukherjee,
Mr. Suhrid Sur.
....for the respondent nos.6, 7 & 8.

Affidavit of service filed on behalf of the petitioner be kept with the record.

The petitioner is the Principal of Burdwan Raj College, a College affiliated with the Burdwan University.

The Hon'ble Vice-Chancellor of the University, on receipt of a complaint from the students of the said College had constituted an Enquiry Committee. The said Committee had submitted its report dated September 27, 2024 on the basis of which, the Governing Body of the College has issued a show-cause notice to the petitioner bearing no. BRC/6090/Principal dated December 02, 2024 which is under challenge in the instant writ petition.

Mr. Nandi, learned Counsel for the petitioner submits that the impugned show-cause notice is based on the said enquiry report dated September 27, 2024 but subsequent to the issuance of the said notice, the University and the Director of Public Instruction, Education Directorate, Government of West Bengal, the respondent no.2 herein have taken some decisions and have passed some directions with regard to the said enquiry report vitiating the impugned show-cause

notice, as such, the show-cause notice is not sustainable.

Mr. Nandi further submits that the petitioner since has filed the reply to the said notice prior to the said subsequent steps taken by the University and the respondent no. 2, the petitioner could not deal with the same in his reply.

Mr. Nilanjan Bhattacharjee, learned senior advocate for the University submits that by a notification dated February 13, 2025, the University has dissolved the committee which was constituted to inquire into the financial and administrative lapses of the said College during the last ten(10) years, he files a copy of the said notification, let it be kept with the record.

Challenge to the said show cause notice is premature. It is however, open to the petitioner to raise all issues to deny the allegations made against him in the impugned show-cause notice.

The petitioner is granted liberty to file supplementary reply to bring the said subsequent events on record within a period of two weeks from date. The Governing Body of the College shall thereafter fix a date for consideration of the said reply/the supplementary reply.

WPA 4695 of 2025 is disposed of without any order as to costs.

Since no affidavit has been invited, the allegations made in the writ petition are deemed to have been denied by the respondents.

Parties to act on the server copy of this order downloaded from the official *website* of this Court.

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

(Biswajit Basu, J.)