

21.02.2025
Court No.13
Item No.18
sudipta

MAT 165 of 2015

Sri Samaresh Mondal
Vs.
Dilruba Khatun

Mr. Achyut Basu,
Ms. Punam Basu,
Mr. Anirban Saha,
Mr. Amritansu Sengupta.

.....for the appellant.

1. The Respondent is not represented.
2. The appeal is directed against the impugned order passed by Single Bench of this Court whereby the appellant college was directed to reinstate the writ petitioner as a part time teacher and to pay her dues.
3. Learned counsel for the appellant, Mr. Basu, has placed the memorandum dated 21st September, 2010 for engagement of part time teachers in colleges in the State of West Bengal. Sub-Clause (c) of Clause 3 of the General Conditions for engagement of part time teachers specifically in prohibits part time teachers from being engaged in more than one college.
4. A declaration is required to be obtained before engagement of such teachers that he/she is not

engaged in any other college. It appears from the writ petition, the respondent Dilruba Khatun was also engaged and was receiving remuneration from Hazi A. K. Khan College in Harihapara, Murshidabad. The aforesaid was suppressed by the respondent/writ petitioner before the appellant Baharampur College.

5. In that view of the matter the Single Bench was not justified in passing the impugned orders directing the appellant college to reinstate the writ petitioner. No reasons whatsoever have been assigned with Single Bench.
6. In those circumstances, the impugned order dated 21st April, 2014 shall stand set aside.
7. MAT 165 of 2015 is allowed and there shall, however, be no order as to costs.
8. Time to file affidavit-in-opposition by appellant to the writ petition is extended for 3 weeks from date, reply, if any, be filed within 2 weeks thereafter.
9. Liberty to mention for hearing before the Single Bench.
10. Consequently, all pending applications, if any, shall stand disposed of.

11. All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)

(Ajay Kumar Gupta, J.)