

30 28.01.2025
NB Ct. 17

WPA 13872 of 2024

Jafar Sadak Ali
Vs.
The State of West Bengal & Ors.

Mr. Rajib Ghosh
...for the petitioner.

Mr. Tanoy Chakraborty,
Mr. Debraj Sahu.
...for the State.

Mr. Raghunath Chakraborty,
Ms. Amrita De.
...for the University.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner is a Ph.D in civil engineering from the Jadavpur University. He was appointed as an Assistant Professor at the Aliah University since 2010. On 19.09.2023, the petitioner applied for becoming a Research Supervisor for the academic year 2023-2024. On 29.12.2023, the respondent/University issued a notification for admission of candidates for Ph.D programme for the session 2023-2024. On 23.04.2024, the petitioner received a communication from the respondent authorities, inter alia, directing not to attend the interview for selecting Ph.D aspirants to be held on the next date i.e. on 24th April, 2024. On 24.04.2024, the petitioner submitted an application and sought for clarification as to why the petitioner could not be a member of the interview board. On 26.04.2024, he made a written representation before the respondent authorities to withdraw the impugned letter dated 23rd April, 2024 and called for an interview afresh by including

the petitioner as an interview board member and also by including the members who are on the interview board on 24th April, 2024 so that the petitioner could obtain a few Ph.D Scholars under his mentorship.

Learned counsel appearing on behalf of the respondent/University denies the allegations and submits as follows. There were several indiscriminations committed by the petitioner in the course of his service in the University. Reference can be made to several letters written by the University in this regard. For instance, the petitioner failed to submit marks on subjects within stipulated time for papers that were given to him for examination. Even, an attempt from the concerned department to contact him failed. On 13.11.2020, the Head, CEN informed the Registrar that the petitioner had not taken even a single class allotted to him since the inception of online classes in the post-pandemic session. He had also conveyed that the petitioner was not synchronising with day to day departmental activities. On 24.12.2020, the Head, CEN once again complained that the marks submitted by the petitioner were incomplete and wrong. Marks were allotted even to a candidate who were absent. The behaviour of the petitioner was also non-cordial and he remained absent from departmental activities. There were complaints about the petitioner's disrespectful and harmful behaviour. A lot of these have been suppressed by the petitioner in the writ petition. In fact, a preliminary enquiry has been conducted by the University against the petitioner. A response was sought from him which was furnished. Further action will be taken in this

regard. In such circumstances, it would not be proper for allowing the petitioner to become a mentor/research supervisor for Ph.D students.

Learned counsel appearing on behalf of the State denies the allegations made by the University. He submits that although certain false allegations have been levelled against the petitioner since 2021, till date no concrete measures had been taken in this regard.

It is true that there are rival contentions about certain activities of the petitioner as canvassed by the respective candidates for the parties. However, it also appears that a representation of the petitioner was received by the University on 26th April, 2024 is pending consideration.

In view of the above, let the respondent no.4 consider the petitioner's representation in accordance with law and as expeditiously as possible, preferably within a period of eight weeks from the date of communication of this order.

It is clarified that the merits of the case have not been gone into.

With these observations, the writ petition is disposed of.

Urgent photostat certified copy of this order may be supplied to the parties expeditiously, if applied for.

(Jay Sengupta, J.)