

35 19.9.2023

Ct-08

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MAT 1684 of 2022

with

I.A No. CAN 2 of 2023

The Visva-Bharati, Santiniketan

Vs.

Dr. Atanu Sasmal & Ors.

Mr. Soumya Majumder

Mr. Victor Chatterjee

... For the Appellant

Mr. Pradip Kumar Roy

Mr. Joydeep Roy

Mr. Tirthajit Roy Chowdhury

... For the Respondent no. 1/

Writ Petitioner

Mr. Anil Kumar Gupta

... For the UGC

Re: CAN 2 of 2023

1. We have heard the learned counsel appearing for the parties.

2. In the impugned order the University was directed to recalculate the salary, pension and other retiral dues of the petitioner treating her to be promoted as Professor on the basis of the interview held on March 16, 2019 and release the same together with arrears within two months from the date of communication of this order. This order was carried in a Special Leave Petition which was disposed of on 24th July, 2023 by which liberty was given to the University to approach the appeal forum in the High Court itself by reviving the application already filed. The revival application was allowed by the

coordinate bench.

3. The University upon depositing the entire amount directed to be paid in terms of the judgment and order dated 12th September, 2022 within a period of two weeks from date shall be entitled to stay of operation of the impugned order till the disposal of the appeal. However, there shall be an unconditional stay of two weeks.

4. In the event the University deposits the entire amount with the learned Registrar General within the aforesaid period, the impugned order shall remain stayed till the disposal of the appeal and the learned Registrar General shall deposit the said amount in a suitable interest bearing fixed deposit scheme in any nationalised bank yielding highest return and shall renew the same from time to time till the disposal of the appeal.

5. CAN 2 of 2023 is accordingly disposed of.

Re: CAN 1 of 2023

1. This application is wrongly appearing in the list and the same has already been disposed of on 12th September, 2023. The department is directed to ensure that this application is not shown as pending.

Re: MAT 1679 of 2022

1. The appellant is directed to file informal paper books out of court with proper index within four weeks from date upon prior service to Mr. Tirthajit Roy Chowdhury, learned advocate on record for the petitioner and Mr. Anil Kumar Gupta, learned advocate for the UGC.

5. Since Mr. Tirthajit Roy Chowdhury, learned advocate on record for the petitioner and Mr. Anil Kumar Gupta, learned advocate for the UGC appear, service of notice of appeal upon the said respondents is dispensed with.

6. The appeal is ready as regards service.

7. The appeal shall appear under the heading “Hearing” in the monthly list of December, 2023.

(Prasenjit Biswas, J.)

(Soumen Sen, J.)

