

Sl. No.149
03.01.2025
Suman
Ct. 15

RVW 310 of 2024
With
CAN 1 of 2024
With
CAN 2 of 2024

Dr. Somenath Das
Vs.
The State of West Bengal and Ors.

Mr. Shuvro Prokash Lahiri
Mr. Rajesh Naskar
Mr. Ankan Mondal
..for the petitioner

Mr. Nilanjan Bhattacharjee
Mr. Saikat Dey
..for the University

Mr. Amitava Chaudhuri
Mr. N. Roy
..for respondent no.6

Mr. Joy Shakar Mukherjee
Mr. Anand Keshari
..for respondent nos. 8 to 10

Mr. Swapan Kumar Datta, Sr. Adv.
Mr. Dipankar Das Gupta
..for the State

Re: CAN 2 of 2024

This is an application seeking the condonation of delay in filing the review application.

Upon considering the averments made in the application, I am of the view that the petitioner has provided a satisfactory explanation for the delay in submitting the review application.

Accordingly, **CAN 2 of 2024** is hereby allowed.

Re: RVW 310 of 2024

This is an application for the review of an order dated December 11, 2023, passed in WPA 25740 of 2023.

In the original writ petition, the petitioner challenged the selection of Respondent No. 9 as an Assistant Professor in Botany at the University of Burdwan. The petitioner contended that Respondent No. 9 obtained the Ph.D. degree while serving as an Assistant Teacher at Shantinagar Vidya Mandir, Asansol, and also simultaneously worked as a Guest Lecturer at Banwarilal Bhalotia College, Asansol.

The writ petition was dismissed as both the school and the college clarified that there was no illegality in the acquisition of the Ph.D. degree.

The present review application has been filed to assert that the Ph.D. degree of Respondent No. 9 did not conform to the UGC regulations, based on a reply obtained from the University of Burdwan dated August 2, 2024, which was acquired in response to an application dated July 20, 2024 under Right to Information Act, 2005.

The writ petition was disposed of on merit on December 11, 2023.

The said order cannot be reviewed based on subsequent events. Moreover, there is nothing in the

communication reply dated August 2, 2024 that suggests that University has cancelled Ph.D. degree of the petitioner. Accordingly, this review application is devoid of merit and is, therefore dismissed.

Accordingly, the review application being **RVW 310 of 2024** along with **CAN 1 of 2024** and **CAN 2 of 2024** is dismissed.

Urgent photostat certified copy of this order, if applied for, be supplied to the learned advocates for the parties on usual undertakings.

(Kausik Chanda, J.)