

14.01.2025
Item No.17
gd/ssd

MAT/2128/2024
KAUSHIK CHATTERJEE
VS
THE HONBLE HIGH COURT CALCUTTA SERVICE
THROUGH THE LEARNED REGISTRAR GENERAL
APPELLATE SIDE AND ORS.
IA NO: CAN/1/2024

Mr. Sarwar Jahan,
Ms. Tapati Sarkar,
Mr. S.N. Thander
..for the Appellant.

Mr. Jaydip Kar, Id. Sr. Adv.,
Mr. Siddhartha Banerjee,
Mr. Rakib Hossain Khan
..for High Court Administration.

1. This intra court appeal by the writ petitioner is directed against the order dated 22nd November, 2024 in WPA 27812 of 2024.

2. The said writ petition was dismissed by the impugned order.

3. The learned advocate appearing for the appellant submitted that the appellant is not contesting the matter on merits but only seeks for direction to incorporate a rider in the fresh notification that will be issued by the High Court at Calcutta for filling up one of the posts of the Deputy Registrar (Court) which has fallen vacant on account of promotion of one of the incumbents. In the appointment order no.37 of 2023

dated 10th April, 2023 the following rider was incorporated:

“However, the appointment is made herein above in favour of the incumbents is subject to the outcome of the complaint of sexual harassment made against Sri Kaushik Chatterjee, Assistant Registrar (Court) – one of the candidates of the selection process and whose result is kept in abeyance – by the appropriate Committee.”

4. Mr. Jaydip Kar, learned senior advocate appearing for the High Court Administration submitted that in the appointment order no.37 of 2023 the above rider was added since the appellant came within the zone of consideration, but at present the appellant does not come within the zone of consideration for the post which is to be notified.

5. However, the issue is that the suitability/eligibility of the appellant in the previous selection could not be considered because of the direction issued to keep the mark-sheet in a sealed cover as a complaint before the Internal Complaint Committee was pending and enquiry was in progress.

6. While affirming the order passed by the learned Single Bench, we direct the learned Registrar General to make it clear in the fresh notification to be issued that in the appointment order no.37 of 2023 the abovementioned rider was mentioned.

7. This will give better clarity to the incumbents who will apply for the post pursuant to the fresh notification that may be issued.

8. This will ensure that the person who will be selected pursuant to the fresh notification which has been issued is made aware of the claim of the appellant which had been mentioned in the appointment order no.37 of 2023.

9. Accordingly, the appeal stands disposed of.

(T. S. SIVAGNANAM)
CHIEF JUSTICE

(HIRANMAY BHATTACHARYYA, J.)