

Court No. 2
(1545)

Calcutta High Court
In the Circuit Bench at Jalpaiguri
Appellate Side

06.11.2025
(JPD 12)
(S. Banerjee)

WPA 2226 of 2025

Sanjay Mallick & Ors.
Vs.
The State of West Bengal & Ors.

Mr. Deborshi Dhar
Ms. Sunayana Prasad
Ms. Taniya Bhowmik

... for the petitioners

Mr. Joyjit Choudhury, Ld. AAG
Mr. Nabankur Paul

... for the State

Mr. Amitava Chaudhury
Mr. Nirmalya Roy

... for the University

Six petitioners have joined together in this writ petition and have prayed for a direction upon the authorities of the Cooch Behar Panchanan Barma University to issue a no-objection certificate in their favour for participating in the selection process/interview for appointment to the post of teaching staff in Visva Bharati University.

Mr. Dhar, learned advocate appearing for the petitioner submits that in spite of representations being submitted before the Registrar of the 5th respondent University, the no-objection certificate

was not issued on the ground that the Registrar is not the employer and it is the Vice Chancellor who is the competent authority to give no-objection certificate. Mr. Dhar places reliance upon an order dated September 4, 2023 passed by a coordinate Bench in WPA 18186 of 2023 in the case of *Dr. Jyoti Prosad Roy –Vs.- The State of West Bengal & Ors.* in support of his contention that the coordinate Bench directed the Registrar to issue the no-objection certificate.

Mr. Chaudhury, learned advocate appearing for the respondent nos. 5 and 6 submits that presently the University is running without a Vice Chancellor. He submits that for such reason the Registrar could not issue the no-objection certificate.

Learned Additional Advocate General assisted by Mr. Paul, learned Advocate, represents the State. He submits that the Cooch Behar Panchanan Barma University is the answering respondent.

This court finds that the coordinate Bench in the case of *Dr. Jyoti Prosad Roy (supra)* directed the Registrar to grant no-objection certificate within a specified time and if a regular Vice Chancellor joins

the University in the meantime, the decision shall be taken with his approval.

In view thereof, this writ petition stands disposed of by directing the Registrar to grant 'no-objection certificate' to the petitioners if they are otherwise entitled to on or before November 12, 2025 and if in the meantime the regular Vice Chancellor joins the University, the approval of the Vice Chancellor shall be taken prior to issuance of the no-objection certificate.

With the above observations and directions this writ petition stands disposed of.

Since no affidavit has been called for, allegations contained in the writ petition shall not be deemed to have been admitted by the respondents.

(Hiranmay Bhattacharyya, J.)