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2026

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NANDY

(DO)

**In the High Court at Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

WPA 6400 of 2025

MALAY KUMAR DAS & ORS.

Vs.

THE STATE OF WEST BENGAL & ORS.

Mr. Kamalesh Bhattacharyya, Sr. Advocate

Mr. Aninda Bhattacharya, Advocate

.....for the Petitioners

Mr. Sirsanya Bandopadhyay, Sr.S.C.

Ms. Tapati Samanta, Advocate

Mr. Arindam Ghosh, Advocate

.....for the State

Mr. Soumyajit Das Mahapatra, Advocate

Mr. Somnath Adhikary, Advocate

.....for the Respondent Nos. 3 & 4

1. The petitioners are aggrieved that in spite of being on the panel shortlisted for appointment to various posts of Assistant Professor and one post of Associate Professor, sometime in December 2022, the panel has not yet been approved by the respondent no. 2.
2. Mr. Ghosh, learned Advocate appearing for the State-Respondent as well as the respondent no. 2, submits that steps were not taken in the light of a letter by the respondent no. 3 on 04.07.2024, which is taken on record.
3. Mr. Mahapatra, learned Advocate appearing for the respondent no. 3, submits that each of the petitioners are disentitled to be appointed as Assistant Professor on account of individual grounds and collectively on the ground that no expert had been appointed, prior to approval of the panel.
4. On the other hand, Mr. Bhattacharya, learned Advocate appearing for the petitioners, has referred to pages 40 to 42 of the writ-petition, which clearly shows that the experts had been duly appointed.
5. The respondent no. 2 is directed to give a hearing to the petitioners, who will be entitled to disclose further documents at such hearing in support of their claim, as

well as the respondent no. 3, who will also be entitled to rely upon necessary and requisite documents, with at least 7 days prior notice of such hearing.

6. After the hearing, the respondent no. 2 will pass a reasoned order in the matter.
7. The entire process is to be completed by 20.02.2026.
8. Needless to say that the appointment of any person to the post of Assistant Professor in terms of the second advertisement dated 21.10.2024 will abide by the decision of the respondent no. 2.
9. No equity will be created in respect of any applicants pursuant to the advertisement of 21.10.2024.
10. With these directions, **WPA 6400 of 2025 is disposed of.**
No order as to costs.

(Reetobroto Kumar Mitra, J.)