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(DISMISSED)

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

WPA/7013/2026

RUPA BHATTACHARYA
VS.
THE STATE OF WEST BENGAL & ORS.

Mr. Ekramul Bari, Advocate
Mr. Sk. Intiaj Uddin, Advocate
Mr. Alauddin Ahmed, Advocate

.....for the Petitioner

Mr. Manabendranath Bandyopadhyay, Advocate
Mr. Subhankar Sen, Advocate
Mr. Prasenjit Sarkar, Advocate

.....for the Respondent Nos. 4 & 5

Ms. Pramiti Bandopadhyay, Advocate
Ms. Deboleena Ghosh Advocate

.....for the State

1. Affidavit of service and the supplementary affidavit, as filed by the petitioner, be kept with the record.
2. The petitioner's grievance is that similarly situated persons as the petitioner in state-aided Universities and Government-aided Colleges are enjoying an enhanced period of superannuation till 62 years.
3. The petitioner, a Registrar in the Indian Institute of Social Welfare & Business Management (IISWBM), is to retire at the age of 60.
4. Mr. Bari, learned senior Advocate appearing on behalf of the petitioner, submits that similarly situated persons cannot be treated differently. Such different treatment is nothing less than discrimination.
5. Mr. Bandopadhyay, learned Advocate appearing for the respondent nos. 4 & 5 (IISWBM), submits that the said Institute is an autonomous body and is not part of a Government-aided University, nor can it be called a Government-aided College.
6. Ms. Ghosh, learned Advocate, appearing for the State, submits that the Institute has its own Board of Governors and even if some aid is received, it is not strictly a Government-aided University or College.

7. Though it may be true at the first glance that similarly situated persons as the petitioner in a Government-aided University or College had been given a longer duration of service, superannuation happening at the age of 62, the petitioner in an autonomous body will retire at the age of 60, it cannot be said that similarly situated persons are being treated differently, as urged by Mr. Bari.
8. The Registrars in a state-aided College or University are on a different footing and cannot be equated on the same platform as that of the petitioner, who is employed in the same post, i.e. Registrar, but in an autonomous body. An expectation, though not entirely legitimate, cannot give rise to a right. The petitioner's expectation cannot be given the colour of a right which is being violated as compared to those employed in state-aided Colleges and Universities.
9. In view of the afore-stated discussions and observations, the writ-petition fails and **WPA/7013/2026** is accordingly **dismissed**. There shall be no order as to costs.
10. Urgent Photostat Certified copy of this order, if applied for, be given to the parties, on urgent basis.

(Reetobroto Kumar Mitra, J.)

