

07.01.2026
Court No. 02
Item No.09
(Suvendu)

WPA 27686 of 2025

DR. NAHID REZA

-Versus-

UNION OF INDIA & OTHERS

Mr. Isteaque Ahmed

Ms. Nafisha Afroz

Mr. Iqbal Ahmed

.....for the petitioner

Mr. Sahasrangshu Bhattacharjee

Mr. Loknath Chatterjee

....for the UOI

Mr. S.S. Sengupta

....for the additional respondent

1) Affidavit of service filed on behalf of the petitioner is taken on record.

2) Matter is heard in presence of learned advocates representing the petitioner, respondents and additional respondent.

3) Issue relates to filling up the post of Assistant Professor of Physical Medicine and Rehabilitation in National Institute for Locomotor Disabilities (Divyangjan), Kolkata. A panel was prepared for said post where petitioner stood second and respondent no. 4 stood first. In spite of giving opportunity to respondent no. 4 to join the said post of Assistant Professor till date he has not joined. It is submitted on behalf of respondent no. 4

being the first empanelled candidate that he is not willing to join the post as he has joined another post and he is working in that post at present.

4) In view of such submission made on behalf of respondent no. 4, Court finds there is no impediment in permitting the petitioner being second empanelled candidate to join the post of Assistant Professor.

5) Submissions are also made on behalf of other respondents which go to show that on completing necessary formalities in accordance with law panel was prepared where petitioner's name features at the second position whereas name of the respondent no. 4 features at the first position.

6) Hence, Director, National Institute for Locomotor Disabilities (Divyangjan), Kolkata being respondent no. 2 is directed to issue appointment letter in favour of the petitioner by three weeks from date. On receipt of appointment letter, petitioner shall join the post of Assistant Professor by seven days thereafter.

7) With the aforesaid directions, writ petition stands disposed of.

8) There shall be no order as to costs.

9) Urgent photostat certified copy of this order, if applied for, be given to the parties on usual undertaking.

(Saugata Bhattacharyya, J.)