

WPA 28246 OF 2025

**Dr. Kaushik Ghosh
Vs.
The State of West Bengal & Ors.**

Mr. Samim Ahammed
Mr. Arka Maity
Ms. Ambiya Khatun
Md. Nasirul Haque
Ms. Sabnam Mostari

...for the petitioner

Mr. Jaharlal De
Ms. Sukla Das Chandra

...for the State

1. Pursuant to the order dated 27th January, 2026, Mr. Jaharlal De, learned advocate representing State respondents has placed before this Court a report dated 9th February, 2026 prepared by Director of Medical Education, West Bengal enclosing list of candidates who participated in the promotional process from the post of Associate Professor to Professor in General Medicine.
2. Admittedly petitioner participated in the said promotional process by submitting OnLine application on 15th September, 2023. It is disclosed during course of hearing that 11 candidates promoted to the post of Professor in General Medicine in West Bengal Medical

Education Service in terms of promotional notification dated 6th March, 2025.

3. It is contended on behalf of State respondents today based on report filed that petitioner though came within the zone of consideration being ninth candidate in the list of candidates who were found eligible to be promoted to the post of Professor in General Medicine but promotional order could not be passed at the material point of time as the vigilance enquiry was pending against the petitioner.
4. It is pointed out on behalf of State respondents that against the name of the petitioner which featured at serial no. 9 of the list of candidates it was remarked that vigilance clearance was kept withheld for the time being.
5. However, situation is altered today as it is found from memo dated 11th June, 2025 issued by the Joint Secretary to the Government of West Bengal and vigilance officer wherein it is recorded that the proceeding against the petitioner was dropped and the relevant file was closed. Such steps were taken with the approval of the Principal Secretary, Department of Health and Family Welfare.

6. In view of memorandum dated 11th June, 2025 of the Joint Secretary which is at page 53 of the writ petition, Court finds there is no impediment at present to direct the concerned State authorities to promote the petitioner to the post of Professor in General Medicine as the petitioner ranked 9th in the promotional process.
7. Hence, concerned State respondents are directed to promote the petitioner to the post of Professor in General Medicine by fortnight from the date of communication of this order with notional benefits from the date when last candidate in the relevant promotional process was granted promotion to the post of Professor in General Medicine.
8. Director of Medical Education is directed to pass an appropriate order by 8 (eight) weeks from the date of communication of this order granting notional benefits to the petitioner in terms of the aforesaid directions.
9. Writ petition stands disposed of.
10. Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)