
(2024) 01 TP CK 0028

Tripura High Court- Agartala

Case No: Writ Petition (C) No. 37 Of 2024

Dr. Gopinandan Dey

APPELLANT

Vs

Union Of India And 3 Ors

RESPONDENT

Date of Decision: Jan. 22, 2024

Hon'ble Judges: Arindam Lodh, J

Bench: Single Bench

Advocate: Somik Deb, P. Chakraborty, B. Majumder

Judgement

Arindam Lodh, J

Heard Mr. Somik Deb, learned senior counsel assisted by Mr. P. Chakraborty, learned counsel appearing for the petitioner. Also heard Mr. B. Majumder, learned Dy. SGI appearing for the respondents-Union of India.

By means of filing the present writ petition, the petitioner has prayed for following reliefs:

“(i) Issue Rule, calling upon the respondents and each one of them, to show cause as to why a Writ of Certiorari and/or in the nature thereof, shall not be issued, for directing the respondents, to transmit the records, lying with them, for rendering substantive and conscionable justice to the petitioner, and for quashing/setting aside the impugned Notifications dated 26.12.2023 & 04.01.2024(Annexures-15 & 18 respectively supra);

(ii) Issue rule, calling upon the respondents and each one of them, to show cause as to why a Writ of Mandamus and/or in the nature thereof, shall not be issued for mandating/directing them, to forthwith revoke/rescind the impugned Notifications dated 26.12.2023 & 04.01.2024 (Annexures-15 and 18 respectively supra), and further for directing them, to consider the claim of the petitioner for promotion to the substantive post of Associate Professor, in the NIT, Agartala;

(iii) Issue Rule, calling upon the respondents and each one of them, to show cause as to why a Writ of Prohibition and/or in the nature thereof, shall not be issued, for restraining/prohibiting them, from acting in any manner, in furtherance of the impugned Notifications dated 26.12.2023 & 04.01.2024 (Annexures- 15 & 18 respectively supra);

(iv) In the Ad-interim, and thereafter, on hearing the parties, in the Interim, an Order, in terms of Relief (iii) supra;

(v) After hearing the parties, be pleased to make the Rule Absolute in terms of i. to iv. above;

(vi) Costs of and incidental to this writ proceedings;

(vii) Any other Relief(s) as to this Hon'ble High Court may deem fit and proper;"

Mr. Deb, learned senior counsel for the petitioner has submitted that an interim order may be passed upon the respondents so that the petitioner can appear before the interview board. It is submitted that the respondents till now have not issued any call letter in favour of the petitioner for that purpose, though the petitioner had submitted application in the prescribed form.

Upon hearing the learned counsel appearing for the parties, I direct the respondents to issue call letter in favour of the petitioner so that he can appear before the Interview Board. After such appearance in the Interview Board, the result of the interview in respect of the petitioner shall be kept in sealed cover till the outcome of the present writ petition.

It is submitted that tomorrow i.e. on 23.01.2024 is the date of interview. So, the respondents are directed to issue call letter in favour of the petitioner during the course of the day.

It is further made clear that if the petitioner does not receive call letter in the course of the day or before the interview, then, the respondents shall allow the petitioner to appear and face the interview in terms of the order of this Court.

In the meantime, Issue notice calling upon the respondents to show cause as to why a rule should not be issued as prayed for; and/or as to why such further order or other orders should not be passed as to this court may seem fit and proper.

Notice is made returnable within 3(three) weeks.

Since all the respondents have already entered their appearance through Dy. SGI, issuance of formal notice is waived.

List the matter on **12.02.2024**.

A copy of this order may be supplied to the learned counsel appearing for the respondents in course of the day.