

ITEM NO.303

COURT NO.4

SECTION XVI

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s).17403/2023

(Arising out of impugned final judgment and order dated 28-06-2023 in WPA(P) No.272/2023 passed by the High Court At Calcutta)

THE STATE OF WEST BENGAL

Petitioner(s)

VERSUS

DR. SANAT KUMAR GHOSH & ORS.

Respondent(s)

(WITH OFFICE REPORT

IA No. 248251/2023 - APPLICATION FOR MODIFICATION OF PARTY DETAILS/
CHALLENGED JUDGEMENT DETAILS

IA No. 205750/2023 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 90345/2024 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 42979/2024 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 248307/2023 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 170406/2023 - DISCHARGE OF ADVOCATE ON RECORD

IA No. 156480/2023 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT

IA No. 165408/2023 - INTERVENTION APPLICATION

IA No. 165328/2023 - INTERVENTION APPLICATION

IA No. 189570/2023 - INTERVENTION APPLICATION

IA No. 247100/2023 - INTERVENTION/IMPLEADMENT

IA No. 224771/2023 - INTERVENTION/IMPLEADMENT

IA No. 205787/2023 - INTERVENTION/IMPLEADMENT

IA No. 141578/2024 - INTERVENTION/IMPLEADMENT

IA No. 198176/2023 - MODIFICATION OF COURT ORDER

IA No. 156479/2023 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURESIA No. 188065/2023 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES)

Date : 29-07-2024 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SURYA KANT

HON'BLE MR. JUSTICE K.V. VISWANATHAN

For Petitioner(s) Mr. Jaideep Gupta, Sr. Adv.
Mr. Sanjay Basu, Adv.
Ms. Astha Sharma, AOR
Mr. Amit Bhandari, Adv.
Mr. Nipun Saxena, Adv.
Mr. Piyush Agarwal, Adv.
Ms. Shrivalli Kajaria, Adv.
Ms. Anju Thomas, Adv.

Ms. Mantika Haryani, Adv.
Mr. Bhanu Mishra, Adv.
Mr. Riddhi Bose, Adv.

For Respondent(s) Mr. Venkataramani, Attorney General for India
Ms. Shalini Kaul, AOR
Mr. Joydeep Mazumdar, Adv.
Mr. P. Sil, Adv.

Mr. Chandrashekhar A. Chakalabbi, Adv.
Mr. Pijush Biswas, Adv.
Mr. S.k Pandey, Adv.
Mr. Awanish Kumar, Adv.
Mr. Anshul Rai, Adv.
Mr. Abhinav Garg, Adv.
For M/S. Dharmaprabhas Law Associates, AOR

Mr. Shyam D. Nandan, AOR
Mr. Siddharth Bambha, Adv.
Mr. Rohit Bohra, Adv.
Mr. Hemant Mehta, Adv.

Mr. Anilendra Pandey, AOR

Mr. Manoj R. Sinha, Adv.
Ms. Nisha, Adv.
Mr. Mrigank Prabhakar, AOR

Mr. Soumya Dutta, AOR

Mr. Rana Mukherjee, Sr. Adv.
Mr. Kunal Chatterji, AOR
Ms. Maitrayee Banerjee, Adv.
Mr. Rohit Bansal, Adv.

Mr. Anand Varma, AOR
Mr. Ayush Gupta, Adv.

Mr. Subhasish Bhowmick, AOR

UPON hearing the counsel the Court made the following

O R D E R

1. Vide order dated 08.07.2024, this Court, on the joint request of the parties, constituted a Search-cum-Selection Committee, headed by Hon'ble Mr. Justice Uday Umesh Lalit, former Chief Justice of India. A panel of 67 experts from different fields was also incorporated in the order so as to enable the learned Chairperson to short-list the domain experts and constitute

different Search-cum-Selection Committees comprising of four such experts and each Committee to be headed by learned Chairperson.

2. After some comprehensive discussions with the authorities, learned Chairperson, *vide* communication dated 25.07.2024, has sought certain clarifications. A copy of the communication dated 25.07.2024, received from Hon'ble Mr. Justice Uday Umesh Lalit, was supplied to learned counsel for the parties. On their valuable suggestions, and upon discussion on the flagged issues, it is decided that let the additional names suggested by the learned Chancellor as well as the State of West Bengal (copies of which have been appended with the instant order) be forwarded to learned Chairperson of the Search-cum-Selection Committee to enable him to short-list the experts for the purpose of constituting Selection-cum-Research Committees for the West Bengal University of Health Science or other related Universities. In addition, the learned Chairperson will be free to co-opt any expert even from outside these lists at his discretion.

3. As regard to the three Universities, namely, Aliah University, West Bengal University of Health Sciences and West Bengal University of Animal and Fishery Sciences, where the age of retirement of the Vice-Chancellor is 65 years, we endorse the suggestion given by the parties that let the age of retirement of these Vice-chancellors be 65 years, as per the Statutes. For the remaining Universities, the age of retirement of the Vice-Chancellor shall be 70 years.

4. So far as the experts, offering their candidature for appointment as Vice-Chancellors are concerned, it is clarified that they may be excluded from the list of shortlisted experts for nomination on the Search-cum-Selection Committees, namely, we endorse the first of the two alternative suggestions given by Hon'ble Mr. Justice Uday Umesh Lalit.

5. Similarly, it is clarified that instead of pro-tem Vice-Chancellors, let there be selection for appointment of regular Vice-Chancellors of the 12 Universities, mentioned in para 3(c) of the communication dated 25.07.2024, received from Hon'ble Mr. Justice Uday Umesh Lalit.

6. To be more specific, it is clarified that there shall be appointment of regular Vice-Chancellors in all the 36 State-aided Universities.

(SATISH KUMAR YADAV)
ADDITIONAL REGISTRAR

(PREETHI T.C.)
ASSISTANT REGISTRAR