

Form J(2)
Sl. No. 36
AB

High Court at Calcutta
In the Circuit Bench at Jalpaiguri
Constitutional Writ Jurisdiction
Appellate Side

Present:
The Hon'ble Justice Aniruddha Roy

W.P.A. 1366 of 2026

Prof. (Dr.) Rajendra Dhar Dubey (Retd.)
Vs.
The State of West Bengal & Ors.

For the petitioner : Dr. Arjun Chowdhury
Ms. Riya Agarwal

For the State : Mr. Arijit Ghosh, Sr. GP
Ms. Rajni Singh

Heard on : August 14, 2026

Judgment on : August 14, 2026

[IN COURT]

Aniruddha Roy,J.

1. Affidavit of service filed in Court today is taken on record.
2. Dr. Arjun Chowdhury, learned advocate appears for the petitioner.
3. Mr. Arijit Ghosh, learned advocate appears for the State.
4. None appears for the rest of the respondents, despite notice.

W.P.A. 1366 of 2026,
A. Roy,J.

5. The petitioner has been superannuated from the post of Professor of the concerned University on **August 31, 2025**. The petitioner has not been receiving pensionary benefit. Petitioner submitted a representation dated **April 26, 2026, annexure P-6** at **page 32** to the writ petition and the same is still pending for consideration.
6. Mr. Arijit Ghosh, learned State advocate submits that, the petitioner had worked continuously for **seven years** and not for ten years. Hence, he is not qualified to receive pensionary benefit. In as much as, prior to join the University petitioner was a contractual Teacher as Assistant Professor of law at the North Bengal University. Hence, records of North Bengal University may also be relevant to take a decision.
7. Petitioner shall serve a copy of the writ petition along with a copy of today's order upon the Vice-Chancellor of the University, the respondent no. 3 and the Registrar of North Bengal University forthwith.
8. In view of the above following direction are made:
 - (a) The Vice-Chancellor of the Cooch Behar Panchanan Barma University (hereinafter, Cooch Behar University) on perusal of a copy of the writ petition, if needs fit, to consult any record of the North Bengal University regarding the petitioner he shall by a communication request the North Bengal University through its Registrar to produce all such records before him. Such request, if necessary, shall be made by the Vice-Chancellor of Cooch

Behar University within a period of **two weeks** from the date of communication of this order.

- (b) Thereafter upon issuing a prior hearing notice of at least **seven days** to the petitioner, the Vice-Chancellor of Cooch Behar University after granting him an opportunity of hearing shall decide the said representation dated **April 26, 2026** by passing a reasoned order in accordance with law. During hearing the Vice-Chancellor shall be at liberty to refer to a copy of the writ petition.
- (c) This exercise shall be carried out by the Vice-Chancellor of Cooch Behar University within **four weeks** from the date of receiving records from the North Bengal University, if necessary and the reasoned order shall be communicated to the petitioner and the North Bengal University within **two weeks** from the date of the said reasoned order to be passed.
- (d) In the event, the reasoned order goes in favour of the petitioner, then all necessary and consequential steps shall be taken by the Vice-Chancellor of Cooch Behar University or any other appropriate authority empowered under the law but positively within **six weeks** from the date of the reasoned order to be passed.

9. It is made clear that, this order shall not create any right or equity in favour of the petitioner, if on consultation of records it is found that the

petitioner is not eligible to receive pensionary benefit, as claimed in the representation dated **April 26, 2026** strictly in accordance with law.

10. It is made clear that, this Court has not gone into the merits of the rival contentions of the parties and while considering the issue the Vice-Chancellor of Cooch Behar University shall also take note of and decide the contention raised on behalf of the State recorded above.
11. Since affidavits are not called for, the allegations made in this writ petition are deemed not to have been admitted by the respondents.
12. With the above observations and directions this writ petition being **WPA 1366 of 2026** stands **disposed of**, without any order as to costs.
13. Photostat certified copy of this order, if applied for, be furnished expeditiously.

(Aniruddha Roy, J.)