

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

CAN 1 of 2020 (CAN 3651 of 2020)
with
CAN 2 of 2020 (CAN 3652 of 2020)
with
CAN 3 of 2021
in
WPA 3463 of 2020

Dr. Anandamay Adak & Ors.
Vs.
Union of India & Ors.

Mr. Sakya Sen
Mr. Sunil Kumar Gupta
Mr. Arindam Paul
... For the applicants/petitioners

Ms. Chandreyi Alam
Ms. Runu Mukherjee
... For the respondents no.1 to 4/UOI

Mr. Ajoy Krishna Chatterjee, Sr. Advocate
Mr. Anirban Mitra
Mr. Sukanta Chakraborty
... For the respondents no.5 to 11

The applicants/writ petitioners are employees of Bose Institute. They are Technical Officers, Grade-I and belong to the cadre of technical staff. In the writ petition, three applications have been filed, which are respectively, CAN 1 of 2020 (CAN 3651 of 2020), CAN 2 of 2020 (CAN 3652 of 2020) and CAN 3 of 2021. CAN 1 of 2020 (CAN 3651 of 2020) is an application for expeditious hearing.), CAN 2 of 2020 (CAN 3652 of 2020) is an application for injunction restraining the

respondents and in particular the respondent no.5 from giving effect to or further effect to the order dated 5th May, 2020. CAN 3 of 2021 is also an application for an order of injunction restraining the respondent authorities from giving effect to or taking any steps in terms of the orders dated 16th October, 2019 and 5th May, 2020.

After hearing the parties and considering the materials on record, I find that the applications cannot be disposed of without hearing the writ petition on merits. In the writ petition, the affidavits are complete.

So far as the interim order as in CAN 2 of 2020 (CAN 3652 of 2020) and CAN 3 of 2021 are concerned, I find that there is no recovery as of date in connection with the orders dated 16th October, 2019 and 5th May, 2020. It is submitted on behalf of the respondents no.5 to 11 that they have taken up the matter with the concerned Ministry to seek clarification as to whether the implementation of the order dated 5th May, 2020 can be waived. The clarification is awaited.

In the aforesaid facts and circumstances, there is no need of passing an interim order at this stage.

The application, being CAN 1 of 2020 (CAN 3651 of 2020) is for expeditious hearing of the writ petition is disposed of without any further order as the writ petition is directed to be taken up for hearing.

In re: WPA 3463 of 2020

Affidavits-in-opposition on behalf of the respondents no.1 to 4 and the respondents no.5 to 11 filed in Court are taken on record. Petitioners' affidavits-in-reply to the affidavits filed by the respondents are also taken on record.

Let the writ petition along with applications, being CAN 2 of 2020 (CAN 3652 of 2020) and CAN 3 of 2021, appear in the list on 16th June, 2022.

(Arindam Mukherjee, J.)