11.09.2026
Item No.1
PG/KS
Ct. No.1

WPA(P) 385 of 2026

Paromita Mondal
Vs.
The State of West Bengal & Ors.

Mr. Shounak Ghosh
Md. Jannat Ul Firdous …….For the petitioner

Mr. Piyush Chaturvedi, Sr. Adv.
Mr. Anujit Mookherji
Mr. Rajdeep Mantha ……..For the State

Mr. Amitava Chaudhuri
Mr. Riaz Abedin
Mr. N. Roy
Mr. A.Dewan
Mr. P. Siddhanto
Mr. M. Masud .....For Respondent No.6

ORDER (Per Court)

1. We have heard the learned counsel for the parties at length and have gone through the Petition paper book with their assistance.

2. In this PIL, the Petitioner has taken up an issue of the Vice Principal of Shirakole Mahavidyalaya (in short, 'College'), Dr. Sk. Rezaul Hoque, not allowing Sri Nirupam Acharyya to join as the Principal of the College, despite the West Bengal College Service Commission (in short referred to as 'Commission') having selected and recommended Mr Acharyya for appointment, vide Memo

dated 29.10.2025, considering that the vacancy admittedly arose in August, 2025.

3. The Commission addressed its letter dated 29.10.2025 to the President of the Governing Body/Administrator of the College informing it that the Commission had held a Meeting on 13.10.2025 and recommended Mr. Nirupam Acharyya s/o Ramjiban Acharyya to be appointed as the Principal of the college on completion of the selection process pursuant to the Advertisement No.2/2024.

4. It is, thus, clear that there was a vacancy and the Advertisement No.2/2024 was for the purpose of the filling up of the vacancy of Principal. The Commission has also communicated to the Governing Body that the appointment of Mr. Nirupam Acharyya would be in accordance with the College Teacher (Security of Service) Rules, 1977 read with the West Bengal Universities and Colleges (Administration and Regulation) Act, 2017. Mr Nirupam Acharyya was directed to be appointed within a period of two months from the date of receipt of the letter with intimation to the WBCSC.

5. The record reveals that Mr. Nirupam Acharyya submitted a request for issuance of the appointment letter

to the Governing Body on 10.11.2025 since, he was selected and was directed to be appointed.

6. The learned counsel representing the College informs us that the Vice Principal has filed Writ Petition No. WPA 5870 of 2026, challenging the recommendation of the Commission. This Petition is pending before the learned Single Judge of this Court. The matter was said to have appeared on Board on 11.06.2026. No interim order has been passed until this day, is an admitted position.

7. It is beyond comprehension that a College should function without a Principal. It is also unacceptable that a Vice Principal is resisting the appointment of the Principal. Prima facie, if at all the management was aggrieved by such appointment, it could have assailed the decision claiming that its jurisdiction was interfered with or the Commission allegedly did not have the right to appoint. A Vice Principal, notwithstanding whether a Principal is appointed or not, would continue to remain a Vice-Principal. The Management does not contend that the said Vice Principal was competing for the Post of Principal or had participated in the selection and appointment process for the post of Principal. Prima facie, we are of the view that the Vice Principal would not have the locus to question the decision of the Commission.

8. It is more than a year that the Post of Principal of the concerned college is vacant. On 29.10.2025, the Commission recommended the appointment of the Principal. For the past more than 10 months, the Management has succeeded in keeping the recommended candidate at bay. The learned counsel for the State, as well as for the Commission, submit that a College without a Principal cannot function for such long period.

9. In view of the above, we direct the Management to allow Sri Nirupam Acharyya to join as the Principal of the College, within a period of two weeks from today. The learned counsel for the Commission would intimate Mr Acharyya about this order being passed by this Court and that he has to join within a period of two weeks from today.

10. The learned counsel for the Management fairly submits on instructions, at this juncture, that the Management would never oppose the joining of the recommended candidate. Even earlier, it had not resisted. Learned counsel for the Management submits that an appointment letter would be issued to Sri Nirupam Acharyya within a period of five working days from today with copies marked to the Commission.

11. List this petition for recording compliance of the above directions, on 29th September, 2026 in the urgent Supplementary list.

(Tapabrata Chakraborty, J.) **(Ravindra V. Ghuge)**
Chief Justice