

Noting by Officer or Advocate	Serial No.	Date	Office notes, reports, orders or proceedings With signature
			<p style="text-align: right;"><u>WP(C) 1699 of 2017</u></p> <p style="text-align: center;">B E F O R E THE HON'BLE MR. JUSTICE S.TALAPATRA <u>21.12.2017</u></p> <p>Heard Mr. PK Biswas, learned senior counsel assisted by Mr. P. Majumder, learned counsel appearing for the petitioner as well as Mr. P. Datta, learned counsel who has appeared for the respondents having received notice in advance.</p> <p>The prayer of the petitioner by means of this writ petition runs interalia as under:</p> <p style="padding-left: 40px;">“ask the respondents to appoint/recruit the petitioner as Associate Professor in General Surgery in the Tripura Medical College & Dr. BRAM Teaching hospital, Agartala”</p> <p>No other relief has been prayed.</p> <p>The petitioner had also earlier approached this court for direction upon the respondents for his recruitment as Assistant Professor in General Surgery Department by filing a writ petition being WP(C) 1056 of 2016 which was disposed of by the judgment and order dated 16.09.2016 where this court has observed as under:</p> <p style="padding-left: 40px;">“This Court while sitting in writ jurisdiction cannot decide the requirement of the faculty member of a medical college. The petitioner is working till today as a faculty i.e. Assistant Professor in the General Surgery Department. The medical college is to impart education to the coming generation of doctors and obviously an efficient teacher should be considered for serving the purpose of education of such an institution. The decision has to be taken by the institute as to whether the service of the petitioner is required or not. If similarly situated other teaching staff has been re-employed, the petitioner can expect that he should not be discriminated. Since it is within the domain of the institute regarding re-employment and/or giving extension of the employment or re-employment, I leave it to the wisdom of the institute and I hope and trust that the institute shall take a impartial and reasonable decision considering the requirement of service of the petitioner for the benefit of the students of the institute and that the petitioner will not be discriminated.”</p> <p>This time the petitioner has approached regarding appointment as the Associate professor for which, according to Mr. Biswas, learned senior counsel, the petitioner has appeared in the interview board, but the outcome of the interview has been not made known to the petitioner rather the respondents have started search for the persons to engage as the Associate Professor in the said Institution.</p> <p>At this juncture, Mr. Datta, learned counsel appearing for the respondents has categorically stated that the process in which the petitioner had participated has not been finalized as yet and as such the petitioner does not have any cause as there is no instance of rejection or appointing someone else in the post adverted for appointment i.e. Associate Professor in the General Surgery Department.</p>

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			<p>In such situation, the petitioner does not have any cause to approach this court. However, the respondents are directed to finalize the process within a reasonable period but by any rate not beyond 31.01.2018. If the petitioner is aggrieved by any decision of the respondents, the petitioner will be at liberty to approach this court afresh.</p> <p>In terms of the above, this writ petition is disposed of. No order as to costs.</p> <p>Copy of this order be supplied to Mr. P. Datta, learned counsel appearing for the respondents.</p> <p>JUDGE</p>
	Saikat		