

GAHC010207302023



2024:GAU-AS:11889

THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : WP(C)/5409/2023

ARIJIT SARKAR
SON OF SRI SUDIP SARKAR, RESIDENT OF ARAWALI GREEN APARTMENT,
KAHILIPARA, NARAKASUR, BYE LANE NO.1, P.O. KAHILIPARA, P.S.
DISPUR, DISTRICT- KAMRUP (METRO), ASSAM, PIN- 781019

VERSUS

THE STATE OF ASSAM AND 3 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY, DEPARTMENT
OF HIGHER EDUCATION, GOVT. OF ASSAM, DISPUR, KAMRUP (M)
DISTRICT, GUWAHATI- 781006

2:THE GAUHATI UNIVERSITY
REPRESENTED BY THE REGISTRAR GAUHATI UNIVERSITY
JALUKBARI
KAMRUP (M) DISTRICT
ASSAM
GUWAHATI- 781014

3:THE CONTROLLER OF EXAMINATION
GAUHATI UNIVERSITY
JALUKBARI
KAMRUP (M) DISTRICT
ASSAM
GUWAHATI- 781014

4:THE K.C. DAS COMMERCE COLLEGE
GUWAHATI
REPRESENTED BY THE PRINCIPAL
CHATRIBARI
P.O. REHABARI

KAMRUP (M) DISTRICT
ASSAM
GUWAHATI- 78100

Advocate for the Petitioner : MR. D GOGOI,

Advocate for the Respondent : SC, HIGHER EDU, MS P.BORAH (R-4),MR J DAS (R-4),MR A TALUKDAR (R-4),MR. A KHOUND (R-4),MS B BORA (R-4),MS. N CHOUDHURY (R-4),MS. B BHUYAN (R-4),MR. A K BHUYAN (R-4),SC, G U

BEFORE
HONOURABLE MR. JUSTICE LANUSUNGKUM JAMIR

ORDER

Date : 29.11.2024

- 1.** Heard Mr. D. Gogoi, learned counsel for the petitioner. Also heard Mr. S. Bhuyan, learned standing counsel, Higher Education Department, for the respondent No. 1; Mr. P.J. Phukan, learned standing counsel, Gauhati University, for the respondent Nos. 2 & 3 and Ms. B. Bhuyan, learned senior counsel, assisted by Ms. R. Das, learned counsel for the respondent No. 4.
- 2.** The petitioner is a student of BBA under the Department of BBA in the K.C. Das Commerce College, Chatribari, Guwahati (Kamrup Metro), Assam. The petitioner submitted his Online Examination Form for the 3rd Semester of BBA Examination 2022-23 along with 1st Semester repeater/back paper examination 2022-23 in the Student Portal on 17.11.2022. Along with the submission of his Examination Form, the petitioner also submitted the 3rd Semester Examination Fee, repeater/back examination fee and centre fee on the same date, i.e. on 17.11.2022.
- 3.** The grievance of the petitioner in the present writ petition is that despite successfully uploading his Examination Form, the admit card in respect of the

petitioner for the 3rd Semester Examination was not uploaded in the portal and accordingly, the petitioner could not download the said admit card. However, the college authority permitted the petitioner to sit in the 3rd Semester Examination, which was held from 20.01.2023 to 02.02.2023. The petitioner, by way of the present writ petition, is praying for a direction to the respondents, particularly the authorities in the Gauhati University for issuance of the admit card for the 3rd Semester BBA Examination 2022-23 and also for declaration of his result.

4. Mr. P.J. Phukan, learned standing counsel, Gauhati University, submits that till date, the petitioner has not filed a written representation before the concerned authorities and accordingly, the petitioner may be directed to file a proper representation through the proper channel.

5. Mr. D. Gogoi, learned counsel for the petitioner, submits that if a direction is passed by this Court, the petitioner would be making his representation before the concerned authorities in the Gauhati University.

6. Accordingly, after hearing the learned counsel for the parties, this writ petition is disposed of directing the petitioner to file a representation narrating all the facts in his representation before the Controller of Examinations, Gauhati University through the Principal of K.C. Das Commerce College, Chatribari, within a period of 2 (two) weeks from today. Thereafter, on receipt of the representation made by the petitioner, the Principal of K.C. Das Commerce College, Chatribari, the same shall be forwarded to the Controller of Examinations, Gauhati University within a period of one week thereafter. While forwarding the representation made by the petitioner, the Principal of K.C. Das Commerce College, Chatribari shall also send a report along with representation made by the petitioner.

The Controller of Examinations, Gauhati University, thereafter on receipt of representation made by the petitioner as well as the report of the Principal of K.C. Das Commerce College, Chatribari, shall consider the same and dispose of the representation in accordance with law within a period of 3 (three) weeks.

7. With the above observations and directions, this writ petition is disposed of.

JUDGE

Comparing Assistant