

Court No. 24
22.07.2021
(Item No. 2)
(AB)

W.P.A. 11047 of 2021
(via video conference)

UTPAL DAS
VS
THE RAIGANJ UNIVERSITY
AND OTHERS

Mr. Utpal Das
..... petitioner-in-person

Mr. Washef Ali Mondal
..... for the Raiganj University

The petitioner is aggrieved by the communication dated 9th May, 2021 whereby the petitioner has been informed that his provisional admission in LL.M. course for the academic year 2020-21 stood cancelled for non-compliance of the University Rules.

The petitioner is a student of the LL.M Course. The original documents and certificates were supposed to be verified compulsorily for the admission in the LL.M. Course within 26th February, 2021. The petitioner submits that on 23rd February, 2021 he lost the originals of nine documents. The petitioner lodged a complaint before the Itahar Police station on 23rd February, 2021.

According to the petitioner, he met the representatives of the University and discussed his problem for not being able to produce the original documents and certificates. The petitioner was

advised to meet the head of the department and the Registrar.

The petitioner submits that he has participated in the online courses for the first semester including the presentation and the assignments given. The petitioner intends to continue with his LL.M. course. He submits that presently he has all the necessary documents with him and given a chance he will be able to produce the same for verification before the concerned authority.

The learned advocate representing the Raiganj University submits, upon instructions, that the classes for the first semester began long ago and the examination for the first semester is over. The learned advocate submits that there is nothing on record to show that the petitioner approached the University with his prayer prior to 26th March, 2021.

In reply to the aforesaid submission, the petitioner relies upon the Regulations for the undergraduate and post-graduate courses of the Raiganj University, specially Regulation 3.3.5 which mentions that a student will get next two consecutive years only for clearing that course. A student may be promoted on request to next semester without clearing (having F or AB Letter Grade) of maximum 8 Credits.

The petitioner submits that as he has already attended the first semester course and completed the

presentation and assignments given he may be given a chance to continue and complete the LL.M. course.

Upon hearing the submissions made on behalf of both the parties and on perusal of the documents placed before this Court, the Court is prima facie of the opinion that the matter should be dealt with appropriately by the Registrar of the University to take a decision as to whether the petitioner may be permitted to continue with the LL.M. course upon verification of the documents presented by him.

As the career of a student is involved, the Court directs the Registrar, Raiganj University to consider the prayer of the petitioner for continuing with the LL.M. course upon submission of the necessary documents for the purpose of verification.

The University shall intimate the petitioner the date and time and the documents which he is required to produce in original for the purpose of verification within a fortnight from date.

The Registrar shall take a decision with regard to the prayer of the petitioner within a fortnight from the date of presentation of the documents in original before the concerned officer of the University. The Registrar shall communicate his reasoned order to the petitioner immediately thereafter.

The Registrar shall consider the matters sympathetically so that the career of the student is not jeopardized in any manner.

The writ petition is disposed of.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon completion of usual legal formalities.

(Amrita Sinha, J.)