

24th November
2021

WPA 11156 of 2021

(Through Video Conference)

(23)
(BD)

Krishnendu Goswami
-vs-
Senior Administrative Officer (TE)
WBSECT & VE & SD (TED) & Ors.

Mr. Debanik Banerjee
Mr. Salman Hasan
Mr. Sagnik Mukherjee
... for the Petitioner.

Mr. Amitava Chaudhuri
Mr. N. Roy
... for the respondent nos.
1 and 2.

Mr. Arindam Das
Mr. Biswajit Sarkar
... For the Respondent no.3.

The petitioner prays for a direction on the concerned respondents to act in terms of a communication from the Institute of Pharmacy dated 8th April, 2021.

From the submissions of the learned counsel appearing for the parties it appears that the petitioner was disqualified from taking the examination for the second year of the Pharmacy course on the ground of certain allegation made by the respondent no. 3, being the Principal of the Institute of Pharmacy. The petitioner thereafter persuaded the institute to let the petitioner appear for the second year examination and letter dated 8th April, 2021, was issued by the Institute to the petitioner informing that the petitioner as a discontinued candidate, will have to apply for re-admission to the Institute after approval from Council.

The Council is represented and submits that the entire matter may be sent to the Council for re-considering the case of the petitioner.

Admittedly, the petitioner has attended the classes for the second year course before the dispute arose with the Principal of the Institute.

In view of the above, the respondent nos. 1 and 2 are directed to consider the case of the petitioner and treat the writ petitioner's representation after giving all necessary parties a hearing including the petitioner. The Council shall pass a reasoned order within four weeks from the date of communication of this order and make such order available to the petitioner within a week from the date on which such decision is passed. It is made clear that the Council decide in favour of the petitioner, the concerned Institute shall re-admit the petitioner and allow the petitioner to sit for the second year examination.

The writ petition being WPA 11156 of 2021 is disposed of in terms of the above.

(Moushumi Bhattacharya, J.)