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03.08.2021.
d.p.

**In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

**W.P.A 12180 of 2021
(Via Video Conference)**

**Akshay Dey
-versus
Union of India & Ors.**

**Mr. Rahul Karmakar,
Ms. Sulogna Chowdhury,
Ms. Saheli Mukherjee,
Mr. Suman Nandi.
...For the Petitioner.**

**Mr. Debu Chowdhury.
...For the Respondent
Nos. 2 and 3.**

**Mr. Suranjan Dasgupta,
Mr. Avijit Chakraborty.
...For the Respondent
Nos. 5, 6 and 10.**

**Mr. V.V.V. Santry.
...For the Respondent
Nos. 8 and 9.**

Affidavit-of-service filed in Court today is taken on record.

The petitioner, a student of the Budge Budge Institute of Technology, West Bengal challenges the letter of suspension dated 2nd July, 2021 issued against him for his gross misconduct.

It appears that a similarly situated student viz. Supratim Majhi had challenged a similar order of

suspension issued by the College on the selfsame date. The allegations in respect of both the students are more or less the same.

This Court considered the case of the other student in the writ petition being W.P.A. 11118 of 2021 and an order was passed on 8th July, 2021 directing the College to forward the candidature of the petitioner to the University so that the admit card can be issued to the petitioner, provisionally, by the University.

The examination scheduled has been annexed to the writ petition. It appears that today is the last date for submission forms and fees by the students.

The learned advocate appearing for the petitioner submits that the form as well as the fees of the petitioner has already been submitted by him.

Tomorrow is the last date of submission of examination fees by the Colleges.

As the Court by an order dated 8th July, 2021 permitted one of the similarly situated student to appear in the examination, accordingly, the instant writ petitioner is also being permitted to take the fourth semester examination.

It is reiterated that the admit card that will be issued in favour of the petitioner is a provisional one and he will not claim any equity on account of appearing in the examination.

The enquiry that is pending against the petitioner shall continue in its usual course. The result of the

petitioner shall not be published till the completion of the enquiry proceedings.

All other directions passed in the order dated 8th July, 2021 referred to hereinabove shall also be applicable in the case of the petitioner.

The college authority is directed to forward the examination fees of the petitioner to the University so that his provisional admit card may be generated and he be permitted to appear in the fourth semester examination.

The writ petition stands disposed of with the above observations and directions.

All the respondents are directed to act on the basis of the order published in the official website of the High Court at Calcutta.

Urgent photostat certified copy of this order, if applied for, be given to the parties on completion of usual formalities.

(Amrita Sinha, J.)