

15.09.2021
SL No. 7
Court No. 24
(P.M.)

WPA 14580 of 2021

**Dr. Susmita Bhattacharya
Vs
West Bengal Joint Entrance
Examination Board & Ors.
(Via Video Conference)**

Mr. Biswaroop Bhattacharyya,
Mr. Pratik Majumdar
... for the petitioner

Mr. D.N. Maiti
... for W.B.U.H.S.

Mr. Amitava Chaudhuri,
Ms. Monoleena Chaudhuri,
Mr. N. Roy
..for West Bengal Joint
Entrance Examination Board.

Mr. Bhaskar Prasad Vaisya, A.G.P.
Mr. Sagnik Chatterjee
... for the State

Affidavit of service filed in Court is taken on record.

The petitioner participated in the examination titled JENPAS (PG)-2020 for admission in the course - Fellowship in Pain Management (FPM) for the academic session 2020-2021. The petitioner secured the third rank in the merit panel.

The petitioner took admission in R.G. Kar Medical College and Hospital and paid seat acceptance fee on 15th June, 2021. The receipt of acceptance of Rs. 30,000/- by R.G. Kar Medical College and Hospital on 21st June, 2021 has been annexed to the writ petition. The same has been paid on account of the course fee of Pain Management.

The petitioner thereafter came to learn that her name was not uploaded in the online portal of R.G. Kar Medical College and Hospital. She was directed to appear once again on the mop-up counseling which she did. Thereafter her name was referred for admission in the ESI Institute of Pain Management.

According to the petitioner, there are vacancies available in R.G. Kar Medical College and Hospital and as she already got herself admitted in R.G. Kar Medical College and Hospital she should be permitted to continue her course in the Medical College.

The petitioner has annexed document to show that there are vacancies available in R.G. Kar Medical College and Hospital as on date.

The learned advocate representing R.G. Kar Medical College and Hospital submits, upon instruction, that the petitioner's admission may be regularized subject to the direction passed by the West Bengal Joint Entrance Examination Board and the Director of Medical Education.

The aforesaid submission of the learned advocate representing R.G. Kar Medical College and Hospital does not appeal to the Court.

The learned advocate representing the West Bengal Joint Entrance Examination submits that after conducting the examination the Board does not have any role to play in this matter.

It appears that the petitioner already took admission in R.G. Kar Medical College and Hospital by freezing her seat over there and by paying the admission fees. At this stage she ought not to be directed to take admission in ESI Institute of Pain Management, more so because vacancies are still available in R.G. Kar Medical College and Hospital.

In view of the above, the concerned authority of R.G. Kar Medical College and Hospital is directed to take immediate steps for regularizing the admission of the petitioner in R.G. Kar Medical College and Hospital and immediately update the necessary portal, so that the name of the petitioner is reflected as a student of R.G. Kar Medical College and Hospital.

All the respondent authorities are directed to render all necessary cooperation to the officers of R.G. Kar Medical College and Hospital to comply the direction passed by this Court for the purpose of regularizing the admission of the petitioner.

The writ petition stands disposed of.

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

(Amrita Sinha, J.)