

24.11.2021
sayandeep
Sl. No. 05
Ct. No. 05

WPA 18447 of 2021

[Via Video Conference]

Samima Khatun
-Versus-
The State of West Bengal & Ors.

Mr. Suvro Prakash Lahiri
Mr. Abhishek Dutta

..... for the petitioner

Mr. Amitava Chaudhuri
Mr. N. Roy

..... for the WBJEEB

Affidavit-of-service filed in Court today be kept
with the record.

The prayer in the writ petition is for a direction on
the concerned respondents to consider and accept the
marks obtained by the petitioner in Biological Science
in High Secondary examination for eligibility for Joint
Entrance Test for Nursing, Para-medical and Allied
Sciences.

The admitted case of the petitioner as would be
evident from the submissions of learned counsel is that
the petitioner by an error of understanding the
instructions in the application form omitted to filling the
marks obtained by the petitioner for Biological Sciences
in the H.S. examination. It is not the case that the
petitioner was not conversant with the language in
which the form was to be filled up or did not have the

necessary ability to understand the instructions. The case made out is one of errors and the fact that the petitioner, despite being selected in the concerned examination, could not be considered for counselling due to the absence of the marks awarded to her in Biological Sciences.

The West Bengal Joint Entrance Examination Board is represented.

Upon considering the Rules, the instructions for online application for the Joint Entrance Test for Nursing, Para-medical and Allied Sciences-Under Graduate Courses, 2021, it appears that Rule 8 provides for a correction period for correction of any information other than those mentioned in the said Rule. The Rules do not provide for any opportunity for a candidate to put in additional marks if they were omitted to be put in by the online application.

This Court is therefore of the view that the relevant Rules do not provide for any window through which the case of the petitioner can be considered. It is the case of a mistake in the understanding of the instructions which led to the petitioner failing to put in the marks in the Biological Science. It is also significant that the petitioner has only come to the Court when she has not been considered for counselling for the purpose of allegations of College.

WPA 18447 of 2021 is dismissed in view of the above.

Urgent photostat certified copy of this order, if applied for, be given to the learned Advocates for the parties on the usual undertaking.

(Moushumi Bhattacharya, J.)