

20.01.2022
sayandeep
Sl. No. 15
Ct. No. 05

WPA 310 of 2022

[Via Video Conference]

Arpita Das (minor), represented by her natural
guardian and father Sri Sannyasi Das

-Versus-

Visva-Bharati University & Ors.

Mr. Sanjib Kr. Das

Mr. Rajarshi Basu

..... for the petitioner

Mr. Soumya Majumder

..... for the respondent

The only prayer of the writ petitioner is that the University permits the petitioner to take admission in the Pre-Degree Course (Class XI) under Visva-Bharati University in the Humanity Stream for 2021-2022 and for cancelling an impugned order dated 24th December, 2021. Learned counsel also urges that the petitioner being an integrated student from Siksha Satra should have been directly admitted in the course having secured the requisite percentage.

The impugned order was passed pursuant to a direction of this Court by which the University was directed to consider the representation of the petitioner and disposed of the same. By the impugned order, the petitioner's case was rejected upon reliance on point No. 18 of the Prospectus, 2021. The case of the petitioner is that the petitioner put in 0.00 against aggregate percentage in Class X whereas the petitioner had

secured 85 per cent in the aggregate. According to the learned counsel, the petitioner made a mistake in putting in “0.00” instead of “85.00” and that the provisional merit list ranks candidates with lesser marks above the petitioner and does not reflect the correct position of merit.

Learned counsel appearing for the University places point 18 of the guidelines for 2021-2022 and submits that similarly situated candidates who made mistakes in putting in their numbers have also not been admitted by the University.

Upon hearing learned counsel, this Court is of the view that the point No. 18 is clear; that candidates must be very careful during entry of the marks obtained in class-X Board Examination on the basis of which the merit list will be prepared and further that no claim shall be entertained subsequently for data entry mistakes committed by the applicants at the time of submitting online application. The petitioner’s case is admittedly one of mistakes and the argument therefore that candidates with lower marks were placed above the petitioner is without basis. The provisional merit list was prepared on the basis of “0.00” put in by the petitioner and not “85.00”. Further, permitting the petitioner to be admitted in the particular course would upset the provisional merit list which was published in

September, 2021 on the basis of the marks obtained by the candidates. It is also admitted that the onus to put in the marks is solely on the candidates and the University has no part in the same. That the petitioner is a 15 years old candidate is of no relevance since all the other candidates were of the same age group on the date of putting in the numbers in the online application form. The argument of direct admission is also without merit since the petitioner did not secure the requisite percentage on the basis of the marks put in the online application form.

This Court therefore does not find any ground to quash or set aside the impugned order dated 24th December, 2021.

WPA 310 of 2022 is accordingly dismissed without any order as to costs.

(Moushumi Bhattacharya, J.)