

Ct. 05
Item No.09
17.03.2022
(suvendu)

WPA 1887 of 2022

[Via Video Conference]

**The Registrar, Aryabhatta Institute
of Engineering & Management
Vs.
State of West Bengal & Ors.**

Mr. Jayanta Mitra
.....for the petitioner

Mr. Suranjan Dasgupta
....for the respondent nos. 2 to 4

Mr. Pinaki Dhole
Ms. Kakali Samajpati
Mr. Pramit Chakraborty
.....for the State

The writ petitioner Institute seeks relief against a mail dated 25th January, 2022 from Maulana Abdul Kalam Azad University of Technology (MAKAUT) by which a penalty of Rs. 5,000/- per student has been sought to be imposed by MAKAUT on the concerned Institute.

The penalty complained of arises out of several orders passed by this Court in writ petitions filed by the students of the Institute complaining that the Institute was not allowing the students to sit for their 7th Semester engineering examinations. The Court has directed the Institute to allow the students to sit for their examinations in view of the position taken by the University that the students may be allowed to sit for the

practical examination as an exceptional measure. The mail of 25th January, 2022 was sent to the Institute in view of the alleged negligence on the part of the Institute in refusing the students to sit for the concerned examinations.

Learned counsel appearing for MAKAUT submits that MAKAUT has only imposed the usual fees for three students which would appear from a mail dated 3rd February, 2022 which is taken on record.

After hearing learned counsel appearing for MAKAUT, it appears that the mail was sent as a precautionary measure to discourage the Institute to repeat its act of negligence in future particularly where such negligence impairs the future of its students.

In view of the extremely fair stand taken by the learned counsel appearing on behalf of MAKAUT, nothing further remains in the writ petition and the same is disposed of as having become infructuous.

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

(Moushumi Bhattacharya, J.)