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05.03.2022
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/Ad
Court no. 8

(Via Video Conference)

**MAT 306 of 2022
With
IA No. CAN 1 of 2022**

**Sabita Biswas
Vs.
The State of West Bengal & Ors.**

Mr. Bidyut Kumar Halder
Mr. Indranil Halder
... .. for the appellant

Ms. Koyeli Bhattacharya, Advocate
... .. for the WBBSE.

The appeal is directed against the order dated March 3, 2022 by which, the learned Single Judge dismissed the writ petition finding that student did not fill up the enrolment form for the ensuing 'Madhyamik Examination', 2022. Consequently, the learned Single Judge did not allow the prayer for issuance of Admit Card to the student.

Learned advocate appearing for the appellant submits that, the son of the appellant is academically proficient. An opportunity should be afforded to the student to participate in the ensuing 'Madhyamik Examination'. In the event, the Court is not pleased to allow the student to

partake in the examination, he will lose one academic year.

Learned advocate appearing for West Bengal Board of Secondary Education (in short 'the Board') submits that, although in the present case, there are documents to show that the student was registered with the school, and the school was made a party, student took no steps for filling up the application form. The Board specified the last date for filling up the application form to be January 31, 2022 with the last date being extended till February 15, 2022. The last date for issuance of Admit Card was February 23, 2022. She contends that, there is no explanation as to why the student or the appellant did not participate in such process within the time stipulated.

We have given our anxious consideration to the facts and circumstances of the present case particularly in view of the fact that an academic year of a student is in question. We find that, the appellant is bereft of any material particulars as to the steps taken by the student or the appellant to comply with the requisitions of the Board within time. There is no averment in the writ petition justifying the non-compliance of such requisitions by the student and the appellant. Neither the student nor the

appellant lodged the application within January 31, 2022 or February 15, 2022. The application is not on record as on date. The last date for issuance of the Admit Card was February 23, 2022. There is no averment in the writ petition as to why the student or the appellant did not take steps from January 31, 2022 till the date of filing of the writ petition on March 1, 2022.

Literacy is not the end all of education. Inculcation of punctuality is a facet of education. Here in the present case, the student and the appellant were lax in pursuing their rights. In fact, they did not comply with the requisitions of the Board from time to time. As noted above, there is no explanation as to why there was failure on their part to comply with the requisitions.

In such circumstances, without entering into the arena as to whether the delay in compliance of the requisitions of the Board can be condoned or not, we find no material to condone the delay.

In such circumstances, we find no infirmity in the order impugned.

The appeal being MAT 306 of 2022 along with the application, IA No. CAN 1 of 2022 are treated as on day's list

and disposed of.

All parties to act on the server copy of this order duly downloaded from the official Website of this Hon'ble Court.

(Debangsu Basak, J.)

(Ajoy Kumar Mukherjee, J.)