

16.06.2022

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WPA 10554 of 2021

Sri Nishes Ghosh
Vs.
The State of West Bengal & Ors.

Mr. Abhishek Halder,
Mr. Arkaprava Den ... for the petitioner

Mr. Pantu Deb Roy,
Mr. P.L Banerjee for the State

The petitioner claims himself to be the Secretary of a Society namely Bandel Elite Academy which runs an institute namely, Bandel Elite Polytechnic Institute which offers Diploma Courses in various engineering fields.

The petitioner challenges an order dated March 23, 2021, passed by the Chief Administrative Officer, West Bengal State Council of Technical and Vocational Education and Skill Development.

By the said order Bandel Elite Polytechnic Institute was directed to “shift

the control of examination activities” of the said polytechnic to another College, namely, West Bengal Survey Institute, Bandel. It was further directed that concerned students would receive the question papers from said West Bengal Survey Institute and send their answer scripts to the said Institute following the guidelines of the council.

Mr. Halder, learned advocate appearing for the petitioner submits that the order is perverse and mala fide. The order would make it clear that it was passed on the perceived notion that the academic atmosphere of the Bandel Elite Polytechnic Institute had been “affected in the wake of resignation of the Principal.” He submits that the Principal never resigned.

Learned counsel representing respondent no.9 also submits that the Principal never resigned from Bandel Elite

Polytechnic Institute and, therefore, the order dated March 23, 2021, should be set aside.

It has been submitted by Mr. Halder that all students of Bandel Elite Polytechnic Institute have already completed their course and as on date there is no student enrolled in Bandel Elite Polytechnic Institute. He, further, submits that the affiliation granted to Bandel Elite Polytechnic Institute by West Bengal State Council of Technical and Vocational Education and Skill Development has expired. The order impugned has already worked itself out.

In that view of the aforesaid facts, I dispose of this writ petition granting a liberty upon the petitioner to make a representation before respondent no.3 for renewal of affiliation of Bandel Elite Polytechnic Institute. If such representation is made, respondent no.3

shall consider the same in accordance with law within a period of eight weeks from the date of communication of this order.

Accordingly, WPA 10554 of 2021 is disposed of.

Parties are directed to act on the server copy of this order.

(Kausik Chanda, J.)

