

28.11.2022
Item No. 4
Ct. No. 238
AKG

WPA 21466 Of 2022

Ayushi Kundu
Versus
State of West Bengal & Ors.

Mr. Sudhasatva Banerjee,
Mr. Rajdeep Mantha,
Mr. Rajendranath Barik

...for the Petitioners

Mr. Shamik Chatterjee,
Mr. Souma Subhra Ray,
Mr. Aditya Bikram Mahata

...for the Respondent No. 10

Mr. Nilotpall Chatterjee,
Mr. Satyaki Banerjee

...for Calcutta University

It is not in dispute that the petitioner secured the highest marks in B. A. LL.B. (Honours) amongst the students of Hazra Campus, Department of Law, Calcutta University. Though she was entitled to 'Sir Asutosh Mookerjee Book Prize', the prize was given to respondent no. 10 on the ground that the petitioner did not prosecute the LL.M. Course from Calcutta University.

This was done on the basis of a resolution adopted by Estate and Trust Officer of the University on April 26, 2017.

It has been submitted by Mr. Nilotpall Chatterjee, learned advocate appearing for Calcutta University that there was no such condition in the original resolution adopted by the Syndicate of Calcutta University on March 2, 2010 for awarding the said prize.

There cannot be any doubt that the resolution of the Estate and Trust Officer incorporating the additional condition of “prosecuting LL.M. Course” for awarding the said prize cannot be sustained being de-hors the resolution of Syndicate of the University.

Fact, however, remains that the said prize has already been given to respondent no. 10. Taking back the prize from respondent no. 10 will create an embarrassment for all concerned.

In the facts and circumstances, the University is directed to give another ‘Sir Asutosh Mookerjee Book Prize’ for the year 2016 along with cash award of Rs. 5,000/- and book coupon of Rs. 5,000/- to the petitioner within a period of one month from date.

The Dean, Department of Law, Calcutta University, respondent no. 9 is requested to expedite the process.

WPA 21466 of 2022 is accordingly disposed of.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Kausik Chanda, J.)