

Court No. 22
21.11.2022
(Item No. 10)
(AB)

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
Appellate Side

W.P.A. 24476 of 2022

Md. Saim (Minor)
VS
The State of West Bengal & Ors.

Mr. Syed Nasirul Hossain
Md. Jalaluddin
..... for the petitioner
Ms. Koyeli Bhattacharya
... for W.B.B.S.E.

The petitioner is an aspiring candidate for the **Madhyamik Examination, 2022-2023** to be held by the West Bengal Board of Secondary Education. The petitioner is a regular student of **Mirzapur H.S.C. High School (H.S.), Murshidabad**. The petitioner could not carry out the necessary formalities for getting himself registered for the class – IX and also for the ensuing Madhyamik Examination.

Ms. Koyeli Bhattacharya, learned advocate appears for the respondent No. 2.

The respondent No. 4/the School Authority is not represented today.

Be that as it may, for the ends of justice, and considering that, the petitioner is only at the dawn of his academic career should not suffer any jeopardy, the petitioner is directed to carry out all the necessary formalities and requisite process which are required to be done by him in accordance with law as per the instruction of the respondent No. 4 and then the

respondent No. 4 shall forward all the necessary documents and records pertain to the petitioner before the respondent No. 2.

The entire exercise as directed above, shall be carried out and completed by the respondent No. 4 on or before November 28, 2022. The respondent 4 then shall forward all the necessary records and documents pertaining to the petitioner before the respondent No. 2 positively on or before December 2, 2022. The respondent No. 2 shall complete the entire process strictly in accordance with law which are required for the petitioner to appear in the Madhyamik Examination 2022-2023.

It is made clear that, this Court has not gone into the merit of the claim of the writ petitioner in any manner. The petitioner shall co-operate with the respondent No. 4 in all possible manner.

Since affidavits are not called for, the allegations made in the writ petition are deemed not to have been admitted by the respondents.

It is further made clear that, the respondent No. 4, the School Authority shall allow the petitioner to appear in the necessary Test Examination which will be held in the School for appearing in the ensuing Madhyamik Examination, upon compliance and qualifying of all the criteria by the petitioner strictly in accordance with law

This order shall not create any precedential value.

Parties are requested to communicate gist of this order to the relevant parties even without waiting for the server copy thereof.

On the above terms, this writ petition being **WPA 24476 of 2022** stands disposed of.

There shall, however, be no order as to costs.

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

(Aniruddha Roy, J.)