

13.04.2023
Item Nos.216-217
Crt.11
b.r.

MAT 322 of 2023
IA No. CAN 1 of 2023

Ritwika Adak & Ors.

-vs-

Baba Saheb Ambedkar Education University & Ors.

With

MAT 428 of 2023
IA No. CAN 1 of 2023

Bagnan Teachers Training College & Ors.

-vs-

Baba Saheb Ambedkar Education University & Ors.

**Mr. Uday Narayan Betal
Md. Abdur Rakib
..... for the appellant.**

**Mr. Bikash Ranjan Bhattacharya, Sr. Adv.
Mr. R.N. Mahato
..... for the Respondent No.2.**

**Mr. Subir Sanyal
Ms. Sumouli Sarkar
Mr. Sagnik Roy Chowdhury
.... For the Governing Body of the College.**

**Mr. Joydip Kar, Sr. Adv.
Mr. Amitabrata Roy
Mr. Pradip Kr. Ghosh
Mr. Amadipta Sengupta
.... For the University.**

**Mr. Swapan Kr. Datta, Ld. AGP.
Mr. Dipankar Das Gupta
..... for the State in MAT 428 of 2023.**

Party/parties is/are represented in the order of
their name/names as printed above in the cause title.

This appeal has been given rise to several inter
connected issues.

The primary issue raised by the appellants pertains
to the non-regularisation of their status as students of

the respondents/the College-in-issue. The appellants/the writ petitioners claim to be *bona fide* regular B.Ed. students of the College-in-issue for the course 2022-2024.

The appellants submit that they paid the college admission fees by cash. The appellants further submit that their names have not been registered as students of the College by the University in issue. The appellants discovered that their fees in cash were accepted by one management group of the College in issue. The appellants allege that the rival group of the College-in-issue had assumed charge of the admission procedure and hence had dropped the names of the appellants from the list of students declared to be registered as admitted by the University.

On behalf of the Respondents-College-in-issue Mr. Sanyal, Learned Senior Counsel and on behalf of the Respondents-the University-in-issue, Mr. Kar, Learned Senior Counsel, submit that the entire admission procedure was online. There was no scope for any student to deposit fees in cash to any person claiming to be in the management of the College-in-issue.

This Court is taken to the Regulations governing the B.Ed. admission to colleges all over the State. Such Regulations, particularly in respect of self-financed colleges as in the case of the present College-in-issue,

provide no scope for granting offline admission. It is submitted by the Respondent/the College that the appellants had only produced money receipts. Such money receipts which have been issued to the appellants within August 2022, i.e. even before the College-in-issue commenced the formal admission process on and from 1st September, 2022, do not create any right in favour of the appellants. It is further submitted that the names of the students do not appear in the Regular Attendance Register of the College-in-issue.

On behalf of the Respondent No.2 being the Management Group which claims to have dealt with the present appellants/students, it is submitted that a complaint has been filed in which it is stated that the password for applying through online applications was suddenly changed by the University in favour of the present rival Management Group.

Having heard the parties and considering the materials placed, this Court finds that a large number of issues raised in this appeal are factual in nature. The Hon'ble Single Bench therefore correctly denied granting reliefs to the appellants in exercise of its Writ Jurisdiction.

MAT 322 of 2023 with **IA No. CAN 1 of 2023** and **MAT 428 of 2023** with **IA No. CAN 1 of 2023** stand accordingly **disposed of**.

Parties to act in terms of the copy of the order downloaded from the official website of this Court.

Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance with all necessary formalities.

(Supratim Bhattacharya, J.)

(Subrata Talukdar, J.)