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Ct-08

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MAT 594 of 2023

with

I.A No. CAN 1 of 2023

CAN 2 of 2023

Raisa Haque

Vs.

Visva Bharati & Ors.

Mr. Joyak Gupta

Mr. Puspall Chakraborty

Ms. P. Ganguly

Mr. Slaumyadeep Sarkar

... For the Appellant

Mr. Subhradip Roy

... For the Respondents

Re: CAN 1 of 2023

(condonation of delay)

There is a delay of 12 days in preferring the appeal.

We are satisfied with the explanation offered for not being able to file the memorandum of appeal beyond the statutory period, we are inclined to condone the delay of 12 days in preferring the said appeal being MAT 594 of 2023.

The application for condonation of delay is, thus, allowed without any order as to costs.

CAN 1 of 2023 is thus disposed of.

We have heard the learned counsel for the parties.

This matter involves identical issues raised and decided in MAT 593 of 2023(Kasturi Sarkar Vs. Visva Bharati & Ors.) today.

The facts are similar to Kasturi Sarkar

(*supra*) save and except that the appellant herein had failed in two subjects.

We request the Vice-Chancellor to reconsider the matter in the light of the observation made in MAT 593 of 2023(Kasturi Sarkar Vs. Visva Bharati & Ors.)

The impugned order is set aside.

The appeal being MAT 594 of 2023 is thus, disposed of.

In view of disposal of the appeal, CAN 2 of 2023 is also disposed of.

(Uday Kumar, J.)

(Soumen Sen, J.)

