

03-07-2023

AKG

Ct. 238

**WPA 8107 of 2023**  
**Shankhadeep Kargupta & Ors.**  
**Vs.**  
**The Secretary, Education Department & Ors.**

Mr. Ram Krishna Chandra  
...For the Petitioners

Mr. Anil Kr. Gupta  
...For UGC

The university is not represented.

Learned advocate appearing for the petitioners submit that the petitioners took admission in Netaji Subhas Open University for various post graduate courses for the academic session 2021-2022. Though the university has received the fees from the students, it failed to provide the study materials, no regular classes were held and even no examinations were conducted.

It has further been submitted by the learned advocate for the petitioner that due to such laches and negligence on the part of the university, the petitioners have lost their valuable years.

The university has filed affidavit in opposition to the writ petition. The said affidavit suggests that due to the restrictions imposed during the pandemic period, the university could not function normally, but after the pandemic situation was over, the university started taking classes regularly and conducted all the examinations. It has been alleged in the affidavit that some of the students

demanding for holding online examination, to which the university did not accede.

I do not see any reason to entertain this writ petition. The situation faced by the petitioners is not uncommon. In fact, every educational institution of the Country had to face the similar odds during the pandemic period. A student cannot compel the university to conduct the examination through online mode. It is the discretion of the university.

Having regard to the aforesaid facts, I do not find any merit in this writ petition.

Accordingly, **WPA 8107 of 2023** is dismissed.

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.)**