

19.6.2023

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**WPA 11404 of 2023**

**AMS College of Polytechnic**

**Vs.**

**The State of West Bengal & Ors.**

Mr. Pintu Karar

Mr. Sabab Uddin Laskar

... For the petitioner.

Mr. Tapan Kr. Mukherjee, Sr. Advocate,

Mr. Suman Dey

... For the Council of Technical &  
Vocational Education.

Mr. Tapas Kr. Mandal

... For the State.

It has been submitted by the petitioner as well as by the West Bengal State Council of Technical & Vocational Education & Skill Development (“the council” in short) that the facts involved in this case are similar to those in **WPA 8188 of 2023 (Shantiniketan Institute of Polytechnic vs. The State of West Bengal & Ors.)**. It has also been submitted that the petitioners in this case stand on the same footing as that of the petitioners in the **WPA 8188 of 2023 (Shantiniketan Institute of Polytechnic vs. The State of West Bengal & Ors.)**.

It has, however, been pointed out by the learned advocate for the Council that though the Council complied with the order dated April 04, 2023 passed in **WPA 8188 of 2023** by issuing an examination notification dated May 03, 2023, the examination

could not be held due to stay order passed by a Coordinate Bench of this Court.

It has also been submitted that no appeal has been preferred by any of the parties against the stay order dated April 04, 2023.

The Council, on instruction, submits that the petitioners herein may be given the similar reliefs as granted to the petitioners in **WPA 8188 of 2023**.

In that view of the matter, this writ petition is disposed of with a direction upon the Council that if the relevant students are otherwise found eligible for admission, they will be granted registration and allowed to sit for the special examination as and when the Council conducts the same.

This writ petition is allowed on the basis of the equitable stand taken by the Council. The relevant College/petitioner is directed to pay a sum of Rs. 2,00,000/- (rupees two lakh) to compensate respondent no. 2 for the additional expenses that may be incurred in conducting the special examination.

This order will be implemented provided the relevant College/petitioner deposits the aforesaid amount within two weeks from the date of communication of this order.

Accordingly, **WPA 11404 of 2023** is disposed of.

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

(Kausik Chanda, J.)