

Court No.
06.02.2023

(Item No. 15)

(AB)

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
Appellate Side

W.P.A. 10823 of 2022

Smt. Sultana Jinat Sabnam
VS
The Registrar, West Bengal Joint Entrance
Examination Board & Ors.

Mr. Rajen Dutta
Ms. Marie Kundu
.... For the petitioner

Mr. Pinaki Dhol
Mr. Avishek Prasad
.... For the State

Mr. Amitava Chaudhuri
Mr. N. Roy
.... For the Board

Affidavit of service filed in Court today, is
taken on record.

The petitioner was an aspirant for the **Medical Joint Entrance Examination in 2016**. The first round of writ petition was filed in **2017**, in which by an order dated **September 6, 2018** a co-ordinate Bench was pleased to direct the respondent authorities to file a report in the form of an affidavit to bring on record the marks obtained by the writ petitioner and also the details of merit list of successful candidates in the OBC category.

In terms of such direction necessary report was filed in the form of an affidavit as would be evident from **page 22** to the writ petition. Such affidavit was affirmed on March 30, 2022. The details are disclosed in the said affidavit report as was directed to be disclosed by the said co-ordinate

bench. The said previous round of writ petition being **WPA 459 of 2017** in which the said report was filed, which was disposed of by an order dated **April 5, 2022** passed by another co-ordinate bench. This order of disposal of the previous writ petition has been suppressed in this writ petition.

In this writ petition, the petitioner sought for mandamus upon the respondents to supply and produce the records before this Court for considering petitioner's representation made under the Right to Information Act. From the said report at **page 22** to the writ petition it appears to this Court that, no more further information could be disclosed by the respondent authorities. Hence, there is no scope for considering the **prayer (a)** in this writ petition any further.

In **prayer (d)** to this writ petition the petitioner prayed for direction upon the respondent authorities to produce the answer scripts and records of scrutiny of answer papers of the petitioner. This prayer could easily be made by the petitioner in the previous round of litigation filed in 2017. By not doing so the petitioner at the relevant point of time thought it fit or deemed to have been think it fit to relinquish the said relief. The previous writ petition has already been adjudicated upon though the order has been suppressed in this writ petition. There is no scope for entertaining **prayer (d)** in this writ petition at this

stage in the year 2023 considering the fact that the petitioner was an aspirant in the Medical Joint Entrance Examination in the year 2016.

In view of the above discussions and reasons, this writ petition is totally devoid of any merit.

Resultantly, this writ petition being **WPA 10823 of 2022** stands dismissed.

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.)