

13.7.2023

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**WPA 11719 of 2023
with**

IA: CAN 1 of 2023

Shreyan Roy

Vs.

Maulana Abul Kalam Azad

University of Technology & Others

Mr. Soumya Majumder

Mr. Uttam Kumar Mandal

Ms. Maitree Roy

... For the applicant/University.

Re IA: CAN 1 of 2023

It has been submitted by Mr. Majumder, learned advocate appearing for the applicant/university that it was not pointed out before this Court on May 12, 2023, when the writ petition was disposed of, that the petitioner could not pass the practical examinations of the third semester.

He cites First Regulation (27.12.2002) Chapter – III Serial 6 related to declaration of result, promotions and Grading systems of the University.

The said regulation provides, inter alia, that if any candidate fails to secure minimum qualifying marks (pass marks) in sessional or practical examinations, would suffer year lag and they have to continue the semester concerned afresh in the next academic year. Therefore, there could not be any question of allowing the petitioner to participate in the fourth semester examination.

In that view of the matter, the order dated May 12, 2023 is recalled.

Accordingly, **CAN 1 of 2023** is allowed.

WPA **11719 of 2023** stands dismissed.

(Kausik Chanda, J.)