

WPA 12339 of 2023
Ankita Bose
Vs.
The University of Calcutta & Ors.

Mr. Debashis Banerjee,
Mr. Supreem Naskar,
Mr. Rakesh Jana

...for the Petitioner

Mr. Soumya Majumder,
Mr. Saptarshi Banerjee,
Ms. Ananya Sinha,
Mr. Kuntal Banerjee

...for the Respondent No. 2.

Mr. Deepan Kr. Sarkar,
Ms. Ananya Sinha,
Mr. Kuntal Banerjee

...for the Respondent No. 3

Mr. Nilotpall Chatterjee,
Mr. Sourabh Sengupta

...for Calcutta University

The petitioner is a 6th semester student of B. A. (Hons.) in Education at Loreto College, Kolkata – 700071.

It has been submitted by the learned advocate appearing for the petitioner that in all earlier semesters, she duly attended the classes and she had the required percentage of attendance for sitting in the examination. Due to some health issue, the petitioner could not regularly attend the 6th semester classes. As a result, her attendance fell roughly about 4 % short of the required attendance. The college did not allow the petitioner to fill up her form to appear in the examination. The petitioner had genuine grounds for not attending the classes.

Mr. Nilotpall Chatterjee, learned advocate appearing for the university has drawn attention of this Court to the Regulations for semester wise three-years

B.A./B.Sc./B.Mus. (Honours/General) Degree
Programmes under CBCS (Choice Based Credit System)
of the University.

Clause 6 of the said regulation reads:-

6. Attendance

6.1 A student attending at least 75% of the total number of classes held shall be allowed to appear at the concerned Semester Examinations subject to fulfillment of other conditions laid down in the regulations.

6.2 A student attending at least 60% but less than 75% of the total number of classes held shall not be allowed to appear at the concerned Semester Examinations subject to the payment of prescribed condonation fees and fulfillment of other conditions laid down in the regulations.

6.3 A student attending less than 60% of the total number of classes held shall not be allowed to appear at the concerned Semester Examinations and he/she has to pursue admission to the same Semester in the very next year for attending the classes and appearing at the said Semester Examination.

Such attendance will be calculated from the date of commencement of classes or the date of admission, whichever is later."

Mr. Chatterjee submits that the petitioner is not eligible to sit in the examination.

Mr. Mitra, learned advocate appearing for the college in contrast submits that the petitioner is a bona fide student of the college. Internal assessment of the sixth semester is already over. It is beyond the competence of the college to permit the petitioner to sit in the 6th semester examination without the required attendance.

He, however, submits that the college may arrange for a separate internal assessment for the petitioner.

After going through the medical records, I am of the view that the petitioner had genuine grounds for not attending the classes. Keeping in the mind that the petitioner was regular in attending the classes in the previous semesters, as a special case, without creating any precedence, this Court directs the college to allow the petitioner to fill up the form to sit for the upcoming 6th semester examination. The college will arrange for the internal assessment for the petitioner separately. If the petitioner clears her internal assessment, the university in turn shall issue the admit card for taking the upcoming 6th semester examination without insisting on the required attendance. This is subject to fulfillment of other conditions

With this aforesaid observation, **WPA 12339 of 2023** is disposed of.

Urgent certified *website* copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Kausik Chanda, J.)