

Court No. 07

WPA 12869 of 2023

**29.05.2023**

(AD 13)

(S. Banerjee)

Lopasmita Mohanta & Ors.

Vs.

The State of West Bengal & Ors.

Mr. Swarvanu Saha

... for the petitioners

Mr. Amitabrata Roy

Mr. P. K. Ghosh

Mr. A. Sengupta

... for the university

It is the case of the petitioners that they took admission in the relevant college for a two-year M.Ed. course and deposited requisite fees for admission with the college. The university, however, did not grant them registration for sitting in the upcoming first semester examination. The petitioners say that they are not at fault and the university should allow them to sit in the first semester examination.

Mr. Amitabrata Roy, learned advocate appearing for the university vehemently opposes the submissions made by the learned advocate for the petitioners. It has been submitted by the university that the last date for admission in the M. Ed. Course for the academic year 2022-24 was September 12, 2022. All the petitioners have been admitted by the college after the said cut-off date and most importantly they were not admitted to the college through the centralized online counseling process conducted by the university on the basis of

their performance in the Joint Entrance Examination. Therefore, their admission in the college was also deemed illegal.

The university submits that to get admission in M. Ed. course, students require to qualify in the entrance test and thereafter they are admitted through online process conducted by the University according to their position in the merit list.

I am of the view that all the petitioners have been admitted through a backdoor entry. They did not qualify the Joint Entrance Examination and their admission did not follow online counseling process.

I am unable to accept the contention of the petitioners. If any illegality is committed by the university in past, it should not be directed to repeat the same in future.

I am unable to grant any relief to the petitioners. An ineligible candidate, if admitted at the behest of the college in violation of selection process, does not acquire the right to continue his studies and complete the course.

Accordingly, WPA 12869 of 2023 is dismissed.

Liberty is granted to the parties to communicate this order.

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

**(Kausik Chanda, J.)**