

31.07.2023
Item No.28
Ct. No. 238
AKG

WPA 13748 of 2023
Global Institute of Management & Technology
Vs.
State of West Bengal & Ors.

Mr. Mani Sankar Chattopadhyay,
Mr. Sankar Halder,
Ms. Munmum Biswas

...for the Petitioner

Mr. Tapan Kumar Mukherjee,
Mr. Suman Dey

...for the Council

Mr. Sanjib Das,
Mr. Madhusudan Mukhopadhyay

...for the State

In this writ petition, in effect the petitioner sought to implement an order dated April 20, 2023, passed in WPA 8750 of 2023. The operative part of the said order is quoted below :

“To subserve the justice, the respondent nos. 2 & 3 are directed to issue provisional Registration Certificate/Admit Card to such 35 number of students, particulars of whom shall be available from pages 117 to 221 to this writ petition forthwith and positively on or before April 30, 2023.

The petition-college shall also pay a sum of Rs. 2,50,000/- (Rupees two lakh fifty thousand) to the respondent no. 2 for bearing the necessary costs and expenses.

Subject to the college depositing the said sum of Rs. 2,50,000/- (Rupees two lakh fifty thousand) to the respondent no. 2 this order shall be effective.

Since affidavits are not called for, the allegations made in

this writ petition are deemed not to have been admitted by the respondents.

With the above directions this writ petition WPA 8750 of 2023 stands disposed of without any order as to costs.”

The petitioner submits that in violation of the said order, only seven students have been granted registration by respondent nos. 2 & 3.

Though it cannot be said that this writ petition is not maintainable, I am not inclined to entertain the same in view of availability of the learned Single Judge, who passed the order dated April 20, 2023.

Accordingly, **WPA 13748 of 2023** is dismissed.

This will not prevent the petitioner to take out an appropriate application in accordance with law.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Kausik Chanda, J.)