

W.P.A. 24168 of 2023

**Smt. Brihaspati Purkait
Vs.
The State of West Bengal & Ors.**

Mr. Debasish Das ... For the petitioner.

Mr. Arindam Chattopadhyay,
Ms. Lipika Chatterjee ... For the State.

Mr. Jayanta Kumar Das,
Ms. Madhumanti Das ... For the respondent no. 8.

Ms. Koyeli Bhattacharyya ... For the WBBSE.

Affidavit-of-service filed on behalf of the petitioner be kept with the record.

The son of the petitioner is a student of Class – IX at Parulia Sri Ramkrishna High School (H.S.), District-24 Parganas(South). He has been studying in the said school since Class – V and would be taking the school leaving examinations to be held in the year 2024 but the school has failed to register him with the West Bengal Board of Secondary Education.

Mr. Das, learned counsel for the school authority submits that two out of 167 students of Class – IX were not registered with the Board but the school authority, immediately upon detection of the said mistake, approached the Board for rectification but did not get any positive response.

Ms. Bhattacharyya, learned counsel for the Board submits that the school had approached the Board long after the last date of such registration. She further submits that the final examination is scheduled in the month of February, 2024. The Board has completed its preparation for the said examination, at this stage, registration of new students would disturb the said arrangement.

Heard learned counsel for the parties, perused the materials on record.

It appears from the record that the school prepared a duly filled in application form for registration of the son of the petitioner as the student of Class- IX of the said school within the time fixed for such registration but unfortunately failed to send it to the Board. The student should not be made to suffer for the laches on the part of the school authority.

This Court therefore, directs the West Bengal Board of Secondary Education to register the name of Sri Dwip Purkait, S/O Sri Asutosh Purkait and Smt. Brihaspati Purkait for admission to the Madhyamik Pariksha, 2024 within two weeks from the date of communication of this order subject to payment of late fees to be paid by the school authority.

The school authority is obliged to explain the laches on its part in registering two of its students with the Board within time, the Headmistress of the said school therefore is directed to furnish such explanation to the satisfaction of the President of the West Bengal Board of Secondary Education within the aforesaid period of two weeks, the consequence thereof shall follow at the discretion of the said President.

However, it is made clear that the registration of the student has no nexus with the explanation to be offered by the Headmistress and that this order shall not be treated as a precedent since it has been passed on the unique facts and circumstances of this case.

W.P.A. 24168 of 2023 is disposed of with the above observations without any order as to costs.

Parties to act on the server copy of this order downloaded from the official *website* of this Court.

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

(Biswajit Basu, J.)