

14 01-02-2023
AKG
Ct. 238

WPA 25673 of 2022
With
CAN 1 of 2022
Ritwika Adak & Ors.
Vs.
Baba Saheb Ambedkar Education University & Ors.

Mr. Uday Narayan Betal,
Md. Abdur Rakib
...for the Petitioners

Mr. Subir Sanyal,
Mr. Sumouli Sarkar,
Mr. Sagnik Roy Chowdhury
...for the Governing Body

Mr. Amitabrata Roy,
Mr. Pradip Kumar Ghosh
...for the University

Mr. Rabindranath Mahato,
Mr. Sabir Ahmed,
Mr. Biswajit Sarkar
...for the Respondent No. 2

CAN 1 of 2022

This is an application for addition of parties wherein the applicants claim themselves to be the Secretary of the governing body of Bagnan Teachers Training College. The applicants claim that the governing body and the Secretary should be added as parties in this writ petition. There are disputes with regard to the representation of the governing body and the Secretary before this Court, as indicated in the order dated November 25, 2022, passed in this writ petition.

Having regard to the order passed in this writ petition, WPA No. 1286 of 2023 (Bagnan Teachers Training College & Anr v. Baba Saheb Ambedkar Education University & Ors.) no order need be passed in this application since I am not inclined to decide any issue related to the management of

the college and the trust.

Accordingly, CAN 1 of 2022 is disposed of.

WPA 25673 of 2022

In this writ petition, the petitioner prays for an order to complete their admission and provide them with the registration numbers for the 2022-2024 academic session of the B.Ed. course at Bagnan Teachers Training College, respondent no.2. Petitioners submit that they applied online for admission to the said college. Their names appeared in the merit list. Thereafter they have deposited the requisite fees before the college for admission and after their admission, they have been continuing their studies in the college. The University, however, arbitrarily declined to grant registration numbers and permit them to sit in the examination.

The disputes with regard to the management of the college have been indicated in the judgement and order passed in WPA 1286 of 2023 (Bagnan Teachers Training College & Anr v. Baba Saheb Ambedkar Education University & Ors.). The petitioners are affected by such disputes.

It appears that the petitioners were admitted at the instance of Shabnam Ali @ Shabnam Aman physically, but the college at that relevant point of time was communicating with the university through email I.D, bagnanttcollege@gmail.com.

Mr. Sanyal declines to take any responsibility with

regard to the admission of the petitioners. As per the notification dated 30.06.2022 issued by the Department of Higher Education, Government of West Bengal, the payment of fees should be made through e-payment designated banks and not physically at the colleges or universities.

Mr. Sanyal, therefore, submits that the petitioners were not admitted following the said notification. They made physical payments to Shabnam and her associates. No order can be passed in this writ petition.

Mr. Mahato, learned advocate claims to represent respondent no.2. He supports the case of the petitioners. Mr. Mahato admits that the writ petitioners were admitted by the College at the instance of Shabnam. He also submits that they are continuing their studies in the college.

The petitioners strenuously argue before this Court that they are not concerned with the internal disputes of the college. They assert their right to continue their studies in the college following their admission.

The report filed by the university suggests that initially a list of seventy nine students was submitted before the University by the college and on the basis of the same, the university has also granted registration for those seventy nine students. The names of the petitioners were never submitted before the University by the college. The attention of this Court has also been drawn to the fact that the last date of admission is already over. Since the petitioners have not yet been admitted to the college online in terms of the notification dated 30.06.2002 by the Higher Education

Department of the State, at this juncture no order should be passed for giving them the registration numbers.

I have already indicated that the petitioners were admitted to the college physically at the instance of Shabnam Ali and her associates.

If the Civil Court ultimately decides to restore the email I.D. in her favour, the petitioners will be at liberty to make a representation before the University. The University will take a decision in accordance with law with regard to their admission to the said college.

WPA 25673 of 2022 is disposed of.

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.)