

07 07.12.2023
rkd Ct.15

W.P.A. 26665 of 2023

Sumitra Das (Minor)

-vs-

State of West Bengal & Ors.

Mr. Kanailal Samanta

....for the petitioner.

Mr. Krishnapada Pal

....for the respondent no.5.

Ms. Koyeli Bhattacharyya

....for the WBBSE.

Mr. Arindam Chattopadhyay,

Ms. Lipika Chatterjee

....for the State.

Affidavit-of-service filed in Court on behalf
of the petitioner is taken on record.

Petitioner, Sumitra Das prays for issuance
of registration certificate for her participation in
Madhyamik Pariksha, 2024. Petitioner is presently
studying in Class-X in Balyagobindapur Balika
Vidyalaya, (hereinafter referred to as "School
Authority") District- Purba Medinipur and it has
been submitted by Mr. Samanta, learned advocate
representing the candidate being the petitioner that
due to mistake on the part of the said School
Authority within the time stipulated by the West
Bengal Board of Secondary Education (hereinafter
referred to as "Board") filled in form of the
candidate, namely, Sumitra Das could not be
submitted before the concerned authority of the
Board. As a result whereof it has been submitted

that till date registration certificate has not been issued in favour of the candidate without which the candidate will not be permitted to participate in the ensuing Madhyamik Examination, 2024. The candidate prays for issuance of registration certificate upon acceptance of filled in form with the assistance of the said School Authority.

Ms. Bhattacharyay, the learned advocate representing the Board submits that the said School Authority instead of sending filled in form of the candidate being the petitioner forwarded two filled in forms in respect another candidate, namely, Noubala Santra. Upon processing of one of the forms against said Noubala Santra the Board has already issued registration certificate in favour of the said candidate.

It has been submitted on behalf of the Board that since another form of Noubala Santra which was submitted in time with the Board, the only option which is left open in view of expiry of time for acceptance of form for issuance of registration certificate is to correct another filled in form of Noubala Santra by the School Authority and submit the form immediately based on which Board can issue registration certificate in favour of Sumitra Das.

The said School Authority is represented by the learned advocate who submits that the School Authority has no objection in doing the needful which would facilitate the Board to issue registration certificate in favour of Sumitra Das.

Having considered the submissions made on behalf of the respective parties this Court directs the Headmistress of Balyagobindapur Balika Vidyalaya, District- Purba Medinipur being the respondent no.5 to correct the filled in form of Noubala Santra being Form No. B-74-85 0105795 and insert the names and other particulars of Sumitra Das by tomorrow, 8th December, 2023 and submit the same by 8th December, 2023 before the Board for issuance of registration certificate in favour of Sumitra Das.

The Board in its turn upon receiving the corrected form bearing aforesaid Form number shall issue registration certificate in favour of the petitioner by 11th December, 2023 in order to ensure that the candidate (Sumitra Das) shall be permitted to fill up form before the last date fixed by the Board for enrolment in connection Madhyamik Examination, 2024.

Photocopies of filled in form of Noubala Santra bearing Form No. 0105795 and Form No.

0105787 are kept with the record.

The learned advocate for the petitioner shall be at leave to communicate this order upon obtaining server copy from the Official Website of this Court and the respondents are directed to act upon the server copy without insisting on supply of certified copy of this order passed by this Court today.

With the aforesaid direction the writ petition stands disposed of.

However, there will be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be given to the learned Advocates for the parties on the usual undertakings.

(Saugata Bhattacharyya, J.)