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03.03.2023
d.p.

**Calcutta High Court
In the Circuit Bench at Jalpaiguri
Appellate Jurisdiction**

W.P.A. 172 of 2023

**Swastik Sengupta
-versus
The State of West Bengal & Ors.**

**Mr. Debajit Kundu.
...For the Petitioner.**

**Mr. Subir Kumar Saha, AGP
Mr. Momenur Rahman.
...For the State.**

The petitioner intends to take admission in the MBBS Course, examination of which was held in the year 2022.

The petitioner prays for consideration of his representation filed before the authority for consideration of his candidature in the vacant seat of MBBS Under-Graduate Examination, 2022.

Learned advocate for the petitioner submits, upon instruction that, till date admission for the MBBS course, 2022 is going on.

Learned advocate representing the respondent no. 4 submits, upon instruction that, there is no vacancy in the North Bengal Medical College and Hospital.

As it has been submitted that there is no vacancy, accordingly, there is no scope for considering the prayer of the petitioner for consideration of his candidature in the vacant seat of MBBS Under-Graduate 2022 Course.

It will be open for the petitioner to appear in the up-coming examination, if the same is permissible in law.

The writ petition stands disposed of.

Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Amrita Sinha, J.)