

21.05.2024
Item No.5
Ct. No.238
S.A.

WPA 4133 of 2024

Phani Bhusan Utthasini
-vs-
Babasaheb Ambedkar Education University & Ors.

Ms. Sumita Shaw
Mr. Nilenldu Bhattacharya
Mr. Soumen Chatterjee
...for the petitioner
Mr. A. Dutt
...for the respondent no.3
Mr. Pintu Karar
Mr. A. Mukherjee
Ms. Sayani Manna
...for the respondent no.2
Mr. Amitabrata Roy
Mr. Arkodipta Sengupta
...for the university

The petitioner enrolled himself on September 27, 2023 for M.Ed. course at Calcutta Teachers' Training College, 24 Parganas (North).

This writ petition has been filed with a grievance that the college is not granting "No Objection Certificate" to the petitioner to enable him to take admission to a different M.Ed. college.

The petitioner submits that he has already paid Rs.5000/- as admission processing fees, and additionally, he has also paid Rs.40,000/- as admission fees.

The college opposes the prayer of the petitioner. The college submits that under the law the petitioner is not entitled to get "No Objection Certificate" in the

midst of the course. It has been further submitted by the college that the petitioner has blocked a seat of the college and if the petitioner is allowed to leave the college, the college shall suffer financially. The college also submits that the petitioner paid Rs.30,000/- only as admission fees.

I am of the view that if the petitioner is not willing to pursue his course from the college, the college cannot compel him to continue particularly when there is no unpaid fees and the petitioner is not interested in refund of the fees deposited with the college.

It is an admitted fact by the college that out of 50 seats, the college could fill up only 45 seats. Therefore, it cannot be said that the college will have to bear financial loss if the petitioner leaves the college in the midst of study. The college could not cite any rules that prohibits grant of “No Objection Certificate”.

In view of the aforesaid, I allow this writ petition with a direction upon the college to grant “No Objection” to the petitioner within a period of three weeks from the date of communication of this order.

Accordingly, **WPA 4133 of 2024** is disposed of.

(Kausik Chanda, J.)