

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
Appellate Side

Present:
The Hon'ble Justice Jay Sengupta

WPA 7697 of 2024

Balaji Charitable Educational Trust
Vs.
The State of West Bengal & Ors.

For the petitioner	:	Mr. Pintu Karar, Mr. Akashdeep Mukherjee, Mr. Sababuddin Lasker.Advocates
For the State	:	Mr. Rajat Dutta, Mr. Ranajit Ray. ...Advocates.
For the Council	:	Mr. Suman Dey, Mr. Rajyashree Mukherjee. ...Advocates .
For the University	:	Mr. Amitabrata Ray, Mr. Arkodipta Sengupta. ...Advocates.
Heard on	:	20.06.2024
Judgment on	:	20.06.2024

Jay Sengupta, J:

Learned counsel appearing on behalf of the petitioner submits as follows.

The petitioner is a pharmacy college which had applied for affiliation with the

West Bengal State Council for Technical and Vocational Education and Skill Development for the session 2023-2024. However, the petitioner was not able to submit the fees required to be submitted. That is why the name was removed from the portal for the purpose of admission. In all, the petitioner could admit 53 students out of a total capacity of 60. Subsequently, they paid the said fees and the name of the College came back in the portal. However, by that time admission process was exhausted. 7 more students were provisionally admitted by the College who are doing classes. Let a special permission be given to have their admissions regularised and appropriate steps be taken in this regard by the respondent authorities.

Learned counsel representing the Council denies the allegations and submits as follows. It is not for the fault of the respondent authorities that the College failed to keep its name in the portal. However, they already admitted 53 students out of a total capacity of 60. By now, even the first internal assessment has been done in 2024. It will not be possible to modify the entire scheme to grant such exceptional privilege to the petitioner/College for having the rest of the vacancies filled up. Reliance is placed on the decision of a coordinate Bench of this Court passed on 10.05.2024 in *WPA 8730 of 2024* and a decision of this Court passed on 11.06.2024 in *WPA 11801 of 2024*.

It appears that the College was removed from the portal for admissions because of non-payment of certain dues. By the time the fees was paid and the name re-entered, the petitioner could admit only 53 students.

Be that as it may, as per schedule, the classes started and the first internal assessment has already been done in 2024.

On substantially similar facts, earlier this Court as well as a Coordinate Bench had refused the prayer of the college for extension of time for admitting of students.

On the present facts too, this Court does not find any reason to take a different view.

I do not find any merit in this application.

Accordingly, the writ petition is dismissed, however, without any order as to costs.

Urgent photostat certified copy of this order may be supplied to the parties expeditiously, if applied for.

(Jay Sengupta, J.)