

10.05.2024
Item No.12
Ct. No. 238
AKG

WPA 8734 of 2024
Birendra Kumar Das Institute of
Education Pharmaceutical Science
-vs-
State of West Bengal & Ors.

Ms. Sumita Shaw
Mr. Nilendu Bhattacharya
Mr. Soumen Chatterjee
...for the petitioner
Mr. Suman Dey
Ms. Rajyashree Mukherjee
...for the Council

It is the grievance of the petitioner that it obtained affiliation from respondent no. 3 on January 11, 2024 for the academic session 2023-2024 to run a D. Pharma Course.

Learned advocate appearing for the petitioner submits that the name of the petitioner-college was incorrectly mentioned on the relevant web portal and as such, the college could not admit students following the affiliation granted to it.

Learned advocate appearing for respondent no. 3 submits that the name of the college was uploaded as "Birendra Kumar Das Institute of Education" instead and in place of "Birendra Kumar Das Institute of Education Pharmaceutical Science". He submits that due to such minor discrepancy in the name, it cannot be said that the students were misled and could not take admission in the college, particularly

when three students had been admitted by the college on the date specified for admission.

Without entering into the disputes as canvassed by the parties, I am of the view that at this juncture, no order can be passed for admission of fresh students.

It is an admitted position that the first internal examination has already been completed in the month of April, 2024. The second internal assessment is scheduled to be held in the month of July, 2024. The students cannot be allowed to take part in the relevant examinations without attending the required number of classes. At this juncture, if the college is permitted fresh students, they will not be a position to undergo the required number of classes.

In that view of the matter, I am not inclined entertain this writ petition.

Accordingly, **WPA 8734 of 2024** is dismissed.

I, however, make it clear that respondent no. 3 shall make necessary correction of the name by the petitioner-college for all future correspondences.

Urgent certified *website* copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Kausik Chanda, J.)