

04.12.2024  
SL No.3  
Court No.24  
Ali

**WPA 6499 of 2020**

**Sanjit Kumar Ram & Ors.  
Versus  
State of West Bengal & Ors.**

Mr. Amitava Choudhuri,  
Mr. N. Roy

...for the respondent Nos. 4-10.

Mr. Nilotpal Chatterjee  
Mr. Satyaki Banerjee

..... for the respondent No.3.

The instant writ petition is filed by the petitioners praying for necessary relief against the College Authority being respondent Nos. 4 to 10 so that a direction may be passed upon the College Authority to take immediate action by withdrawing the ban of three years imposed upon the petitioners by the College Authority vide letter dated 9<sup>th</sup> October, 2018.

None appears on behalf of the petitioners.

College Authority as well as the University are represented through their learned counsels.

Mr. Amitava Choudhuri, learned counsel appearing on behalf of the College Authority submits that at the time of initiation of argument of this matter the College Authority has challenged the validity of annexure P-3 (page-28) of the instant writ petition. He submits that the document which was annexed as P-3 is a fake document. The said

disciplinary action as appearing in page-28 was forwarded to another student, namely, Anshu Tiwary. He specifically submitted that the disciplinary action against the present petitioner as taken by the College Authority vide their governing body meeting dated 22.9.2018 and 3.10.2018 is totally otherwise.

The College Authorities sought leave to demonstrate the matter before this Court. On the prayer of the College Authorities this Court allowed the College authorities to file a supplementary affidavit along with the necessary documents. In pursuance of the direction of this Court the College Authority has submitted a supplementary affidavit containing some documents.

The petitioners were given leave to file a reply, if any, against the said supplementary affidavit. No reply has been placed.

On perusing the documents placed in the supplementary affidavit it appears that the College Authority has taken decision in their governing body meeting held on 22.9.2018 and 3.10.2018 against all three petitioners as “expulsion from the College”. The student, namely, Mr. Anshu Tiwary was given disciplinary action as “ban from entering the College Campus for three years and removal from all posts of the College”.

The disciplinary action through letter dated 9<sup>th</sup> October, 2018 issued to the present petitioners also annexed in the supplementary affidavit being annexure R-5. On perusing the said disciplinary action of the College Authority, it proves that the petitioner has approached this Court with another disciplinary action against another student. It further appears that the petitioner intended to get a favourable order by placing fake documents. The intention of the petitioner cannot be allowed to be continued.

Under the above observations, as the petitioner is not coming with the clean hand before this Court, I find no justification to entertain the petitioner. So, before going into the merits of this matter, the instant writ petition appears to be not maintainable and the same is dismissed with a compensatory cost of Rs.10,000/- each for perpetrating fraud upon Court.

Parties to act upon the server copy and urgent certified copy of this order be provided on usual terms and conditions.

**(Subhendu Samanta, J.)**