

12.04.2024
Item No.86
Ct. No.238
S.A.

WPA 10305 of 2024

Jemia Khatun
-vs-
The State of West Bengal & Ors.

Ms. Saswati Ghosh Sinha
...for the petitioner
Mr. Amitava Chaudhuri
...for the State
Mr. Amitabrata Ray
Mr. Arkodipta Sengupta
...for the university

The petitioner is a student of Saha Alimuddin
College of Education, Nadia.

By filing this writ petition, the petitioner seeks
permission to sit in the 3rd semester B.Ed.
examination scheduled to be held on 13th April, 2024.

Opposing the prayer of the petitioner, learned
advocate appearing for the university submits that a
disciplinary committee was constituted to take
decision regarding the unfair means adopted by
examinees including the petitioner in the 2nd semester
B.Ed. examination (Sessions 2022-2024) held on 11th
October, 2023 at Jatindra Mohan College of
Education.

The disciplinary committee found that 27
candidates of the said examination were caught red
handed by the invigilator while copying from some
pieces of papers during their 2nd semester B.Ed.
examination.

It is not in dispute that the petitioner has been afforded an opportunity of hearing by the committee. After hearing the petitioner and other candidates, the committee decided to cancel the students' candidature and they were treated as non-enrolled students of 2nd semester for the Session 2022-2024.

The university also relies upon a declaration furnished by the petitioner before the committee admitting her guilt.

The petitioner vehemently opposes the allegations.

I am of the view that there is no scope to sit in appeal over the findings of the disciplinary committee. The factual disputes involved in the writ petition cannot be decided by this court.

The university, however, submits that the petitioner will be entitled to sit in the 2nd semester examination with 2023-2025 batch.

In that view of the matter, **WPA 10305 of 2024** is dismissed.

(Kausik Chanda, J.)