

09.05.2024
Item No.15
PG/KS
Ct. No.1

W.P.A. (P) 189 of 2024
With
IA No. CAN 1 of 2024
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CAN 2 of 2024
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CAN 3 of 2024
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CAN 4 of 2024
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CAN 5 of 2024
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CAN 6 of 2024
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CAN 7 of 2024
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CAN 8 of 2024
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CAN 9 of 2024
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CAN 10 of 2024
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CAN 11 of 2024
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CAN 12 of 2024
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CAN 13 of 2024
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CAN 14 of 2024

Md. Shanawaz
Vs.
The State of West Bengal & Ors.

Mr. Soumya Majumder
Mr. Golam Mohinuddin
Mr. Victor Chatterjee
Ms. Puja Mondal
.....for the petitioner

Mr. Swapan Kumar Dutta
Mr. Rajat Dutta
Mr. Subhendu Sengupta
.....for the State

Mr. Suman Dey
Ms. Rajyashree Mukherjee
..... for the respondent nos.3, 4 & 5
Mr. Biswaroop Bhattacharya
Mr. Anindya Bose

Mr. Mridul Biswas
for the applicants

In Re. IA No. CAN 1 of 2024, CAN 6 of 2024, CAN 9 of 2024, CAN 10 of 2024 & CAN 13 of 2024.

1. These are all applications filed by the private respondents in this writ petition seeking certain reliefs such as extension of time to complete the spot admission to the pharmacy course. In our view, this is an independent relief sought for and this cannot be considered in a public interest writ petition filed by a third party before this Court.
2. Therefore, these applications are disposed of giving liberty to the petitioner to move the authorities for appropriate relief or in the event of any order of rejection, to challenge it in the manner known to law.
3. No costs.

In Re. CAN 2 of 2024, CAN 3 of 2024, CAN 4 of 2024, CAN 5 of 2024, CAN 7 of 2024, CAN 8 of 2024, CAN 11 of 2024 & CAN 12 of 2024.

4. In all these applications, the respective institution seek for certain relief against the respondent nos.4 and 5. This being the independent reliefs that cannot be considered in this public interest litigation.
5. Therefore, the applications are disposed of giving liberty to the petitioners to move the appropriate authority for necessary relief.
6. No costs.

7. It is up to the respondent nos.4 and 5 to consider the correctness of the stand taken by the respective institution and proceed to take action in accordance with law.

In Re. W.P.A.(P) 189 of 2024

8. The petitioner seeks for conducting a proper enquiry/investigation into the affairs of the college being respondent nos.7 to 11.
9. The learned advocate appearing for the contesting respondents viz. respondent nos.3, 4 and 5 would submit that under normal circumstances, verification is being done on a regular basis. However, once more, the respondent nos.3 to 5 will cause verification of all the institutions and if any deficiency is found, appropriate orders shall be passed against the said institution.
10. The learned advocate appearing for the respondent nos.3 to 5 would submit that two months time may be granted since there are several institutions, where verification process has to be carried out.
11. In the light of the above, directing the respondent nos.3 to 5 to cause verification of all the institutions, which are either impleaded in this writ petition or the others, which are registered with them and examine as to whether they fulfil all criteria and proceed to take action in accordance with law within a period of two months from the date on which the server copy of this order is received.

12. With the above observations/directions, writ petition stands disposed of.
13. No costs.
14. Urgent photostat certified copy of this order, if applied for, be furnished to the parties expeditiously upon compliance of all legal formalities.

(T.S SIVAGNANAM)
CHIEF JUSTICE

(HIRANMAY BHATTACHARYYA, J.)