

**20.06.
2024**

**MAT 964 of 2024
IA No. CAN 1 of 2024**

Ct. No. 04

Ab

**Kadambini Women's College of Education
Vs.
The State of West Bengal and others.**

**Mr. Biswaroop Bhattacharya,
Mr. Anindya Bose,
Mr. Golam Mahiuddin,
Mr. Mridul Biswas.**

... for the appellant.

**Mr. Swapan Kumar Dutta,
Mr. Rajat Dutta.**

... for the State.

**Mr. Amitabrata Roy,
Mr. Arkodipta Sengupta.**

... for the University.

The dispute pertains to an affiliation of the college/appellant with the University. The University highlighted several lapses and/or discrepancies and, in fact, did not proceed to renew the affiliation unless those discrepancies and/or lapses are duly cured.

A writ petition was moved by the college/appellant for several directions concerning the action of the University in declining to renew the affiliation and an interim order was also prayed for so that the admission process for B.Ed. course may not be hampered for the reason that the affiliation is not renewed.

The Trial Court held that there is no scope to pass any interim order in the writ petition and directed the report to be filed in the form of an affidavit. Since the affiliation has not been renewed because of certain discrepancies and/or lapses, as disclosed by the University, the interim order permitting the college/appellant to continue with admitting incumbents into the B.Ed. course may have some

impact in the event the University withdrew the affiliation or refuse to renew the affiliation.

Precisely for such reason, the Trial Court held that there is no scope for interim order, which cannot be faulted with. Several facts are sought to be raised in the instant appeal, which, in our view, can be raised before the Single Bench for disposal of the writ petition. We, therefore, grant liberty to the college/appellant to raise all such issues before the Trial Court, which would be considered on its merit.

The appeal and the connected application are disposed of.

There shall, however, be no order as to costs.

(Harish Tandon, J.)

(Prasenjit Biswas, J.)