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10.07.2024
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Ct 17

WPA 15611 of 2024

Murshidabad College of Engineering & Technology
-vs-
Baba Saheb Ambedkar Education University & ors.

Mr. Puspall Chakraborty
Ms. Prishanka Ganguly
...for the petitioner

Mr. Amitabrata Roy
Ms. Deboleena Ghosh
...for the University

Report filed on behalf of the respondent nos. 1 and 3 is taken on record.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner is a College running B.Ed course under the Baba Saheb Ambedkar Education University. Several students have got admitted in the College for the Session 2023-2025. Five students who had the present college as their choice did apply in time, but due to some technical reason, could not pay the fees online. Subsequent to the first notice dated 11.03.2024 giving out time line, another notice was issued by the University on 03.04. 2024 where the last date of submission of application fees was mentioned as 09.04.2024. Although, the said students have paid their fees by 08.04.2024, this was not taken into consideration. Nor were the fees refunded.

Learned counsel appearing on behalf of the University

relies on the report and submits as follows. The notice dated 03.04.2024 clearly stipulated that the students who had applied online earlier but did not take admission, should apply again. The said students did not apply again. The University shall return fees to the students if appropriate application is made in this regard. In any event, the petitioner cannot claim to be aggrieved and has no right to act in a representative capacity while moving this application. Afterall, none of the students in question have come up before this Court with a grievance. Secondly, if the students or, for that matter, the College wants to take advantage of the notice issued by the University on 03.04.2024, they shall have to agree to all the terms contained in the notice.

The second notice stipulated as follows:

“Students, who have applied online earlier but not taken admission, should apply again. However, they need to pay application fee separately.”

But, no application was made afresh.

Moreover, there is a stipulation for doing a minimum number of 100 classes for a semester. If admission is allowed at this stage, the students would not come anywhere close to that mark.

In view of the above, there is no merit in the instant application.

At this stage, learned counsel appearing on behalf of the University submits that the portal for admission will be

opened for the session 2024-2026 very soon.

Therefore, the students shall be at liberty to apply for the next session.

No further order need be passed in this regard.

With these observations, the writ petition is disposed of.

Urgent Photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Jay Sengupta, J.)