

Form No. J.(2)
Item No.33

**IN THE HIGH COURT OF JUDICATURE AT CALCUTTA
CIVIL APPELLATE JURISDICTION
APPELLATE SIDE**

HEARD ON: 04.09.2024

DELIVERED ON: 04.09.2024

**CORAM:
THE HON'BLE MR. CHIEF JUSTICE T.S. SIVAGNANAM
AND
THE HON'BLE MR. JUSTICE HIRANMAY BHATTACHARYYA**

**M.A.T. 1194 of 2024
With
I.A. No. CAN 1 of 2024
+
CAN 2 of 2024**

**The Chief Administrative Officer, West Bengal State Council of Technical &
Vocational Education and Skill Development, Department of Technical
Education, Training & Skill Development & Anr.
Vs.
Anindya Agasty & Ors.**

**Appearance:-
Mr. Suman Dey
Ms. Rajyasree Mukherjee**

.....For the Appellants

Mr. Bijoy Kumar Shaw

.....For the Respondent Nos.1 to 2

JUDGMENT

(Judgment of the Court was delivered by T.S. SIVAGNANAM, C.J.)

In Re.:I.A. No. CAN 1 of 2024

1. We have heard the learned advocates for the parties.

2. There is delay of 14 days in filing the appeal. We have perused the affidavit filed in support of the petition and we find that sufficient cause has been shown for not being able to prefer the appeal within the period of limitation.
3. Thus, I.A. No. CAN 1 of 2024 is allowed and the delay in filing the appeal is condoned.

In Re.: M.A.T. 1194 of 2024

4. This appeal has been filed by the Chief Administrative Officer of the West Bengal State Council of Technical and Vocational Education and Skill Development and another challenging the order passed in W.P.A. 4827 of 2024 dated April 24, 2024. The writ petitioners sought for affiliation to an institute of Pharmacy.
5. As submitted by the learned advocate for the appellants that twice, inspection has been conducted on the institution and deficiencies have been pointed out. In this writ petition, the learned Writ Court has directed a fresh inspection to be conducted by the appellants to ascertain as to whether the writ petitioners have made good deficiencies pointed out by the appellants on the previous occasion.
6. The apprehension of the appellants is that the writ petitioners/institution is attempting to claim approval for the academic session 2023-24.
7. There need not be any apprehension on the part of the appellants in this regard, since unless and until, the writ petitioners fulfil all conditions, which are required, question of granting approval or affiliation would not arise.
8. Therefore, any inspection, which is to be conducted by the appellants on the respondents/writ petitioners-institution can at best be only for the next academic session i.e. 2024-25 and not earlier.

9. Needless to state that the grant of affiliation or approval is not automatic and it is only subject to the writ petitioners/institution complying with all conditions stipulated by various authorities.
10. With the above clarifications, appeal alongwith the connected application (CAN 2 of 2024) stand disposed of.
11. No costs.
12. 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

I agree.

(HIRANMAY BHATTACHARYYA, J.)