

WPA 16650 of 2024

Manish Sinha Biswas
-vs-
The West Bengal University of Health Sciences & ors.

Mr. Srijib Chakraborty
Mr. R. Chowdhury
Mr. P. Maity
...for the petitioner
Mr. Debanik Banerjee
...for the respondent no.3
Mr. D. N. Maiti
Mr. P. Agarwal
Mr. A. Singh
...for the respondent nos. 1 to 2

Written instructions dated 28.06.2024 of the University, as filed in Court, is taken on record.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner is a student of M.B.B.S, 4th Year. After the petitioner received his mark-sheet in the Third Professional Part-II Examination, he was surprised to see that he had failed in the subject General Surgery. It appeared that he had obtained only 19 out of 80 marks. He immediately contacted with the College Authorities. They replied that there was a typographical error. Accordingly, the College Authorities wrote to the University that the corrected marks that the petitioner had scored was 49 and not 19 as given in the mark-sheet. The corrected marks of the candidate was forwarded to the University by the Principal of the College and the communication was made by one of the

Examiners, a Professor and Convener of General Surgery.

Learned counsel appearing on behalf of the respondent nos. 1 and 2 submits that the documents provided by the Head of the Department, General Surgery in this regard contained signatures of only one of the Examiners. But, the examination sheets are signed by six Examiners.

Upon query, learned counsel for the University could not cite any rule that required all six Examiners to sign a corrected mark-sheet and/or communication.

When the corrected marks, as recorded by the Professor and Convener of the Department of General Surgery in the College, is forwarded by the Principal of the College to the University, the University ought to accept the same and act on it at the earliest. The University has no reason to go beyond the communication made by the Principal.

It appears that there is an unnecessary delay that is being caused by the University in issuing rectified mark-sheet to the student.

In view of the above, the respondent University Authorities are directed to rectify and publish corrected mark-sheet of the petitioner having Roll No. 24341012785 for the 3rd Profession Part-II examination within ten days from this date.

Copy of the same shall be immediately thereafter made over to the petitioner.

With these observations, the writ petition is disposed

of.

Parties shall act on a server copy downloaded from the official website of this Court.

(Jay Sengupta, J.)