

ADSL.01 05.02.2025
NB Ct. 17

WPA 2802 of 2025

Debanjan Biswas
Vs.
The State of West Bengal & Ors.

Ms. Susmita Saha Dutta,
Mr. Niladri Saha,
Mr. Dipjyoti Chakrabarty,
Ms. Madhurima Basu,
Ms. Pallabi Ghosh.
...for the petitioner.

Mr. Swapan Kr. Datta Id.AGP.,
Mr. Tapas Kr. Dey.
...for the State.

Ms. Nandini Mitra.
...for the University (MAKAUT).

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner is a student of 3rd Semester M.Tech at the Maulana Abul Kalam Azad University of Technology. 27th of January, 2025 was the last date for payment of examination fees. The portal was opened again on 4th February, 2025. The petitioner tried but could not pay the fees on that date. However, he did pay the 3rd Semester fees on that date. The examinations are to commence today i.e., on 5th February, 2025. The petitioner made a representation before the Vice-Chancellor in this regard on 30th January, 2025. But, the same was not responded to.

Learned counsel appearing on behalf of the University upon instructions denies the allegations and submits as follows. The portal of the University is always open. The Semester fees are not required to be paid through portal. Here, the facts are quite different. The petitioner did not pay the 3rd Semester fee,

which was to be paid at the beginning of the said Semester. Therefore, without paying such fee there was no question of sitting in the examination for the 3rd Semester. The examination fee has to be paid through portal. The norms cannot be relaxed because it will then entail undertaking changes that will take time and cost. The entire examinations for the 3rd Semester would have to be postponed for a long time, at least for seven days. This cannot be done for the laches of the petitioner in paying the examination fee, or for that matter, the Semester fees in time. The balance of convenience would warrant that the petitioner sits and waits for his turn to sit in the next 3rd Semester examination.

It appears that a representation dated 30.01.2025 is pending consideration before the Vice-Chancellor. If the same is considered in time and in favour of the petitioner, then the petitioner would be able to sit at least for the rest of the examinations.

In view of the above, I request the Vice-Chancellor of the University to consider the petitioner's representation filed on 31.01.2025 in accordance with law and at the earliest, preferably within 10th February, 2025 by 12 noon.

With these observations, the writ petition is disposed of.

As affidavits were not called for, allegations contained in the writ petition are deemed not to have been admitted.

Urgent photostat certified copy of this order may be supplied to the parties expeditiously, if applied for.

(Jay Sengupta, J.)

