

S/L 11
01.08.2025
Court No.17
Susanta/
samar

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION

WPA 4344 of 2025

Mukhroja Khatun
Vs.
The Union of India & Ors.

Dr. Kaustav Chandra Das
Mr. Sk. Sahjahan

...for the Petitioner.

Mr. Debapriya Gupta

...for the Respondent nos. 2 & 3.

Mr. Arka Kumar Nag
Ms. Debaleena Ghosh

....for the WBMCC.

Mr. Sirsanya Bandopadhyay, Ld. Sr. St. Counsel.
Ms. Tapati Samanta,

....for the State.

Mr. Durga Prasad Dutta,
Mr. Subhankar Roy,

....for the Respondent No. 7.

Mr. Shiv Chandra Prasad,

....for the Respondent Nos. 1 & 10.

The petitioner, having qualified the National Eligibility-cum-Entrance Test (NEET UG, 2024) had participated in the West Bengal UG Ayush Counselling under the State Quota to pursue the Bachelor of Homoeopathic Medicine and Surgery course (BHMS).

In the second round of counselling, she was allotted Netai Charan Chakravorthy Homoeopathy Medical College and Hospital, the respondent no.7 herein. She though took admission in the said college but had opted for the third round of counselling.

In the said third round, she was allotted Pratap Chandra Homoeopathy Hospital and College, the respondent no. 8 herein but the petitioner is not willing to accept the said allotment, instead wants to continue with the respondent no. 7 College.

With the allotment of the respondent no. 8 college in the third round of counselling, the seat allotted to the petitioner in the respondent no. 7 college in the second round of counselling gets automatically cancelled.

This Court is informed that the National Council for Homoeopathy and the National Commission of Homoeopathy has withheld the affiliation of the respondent no. 8 college to continue the BHMS course for the Academic Session 2025-2026 for lack of infrastructure.

The petitioner, though is not affected by such action as she is student for the Academic session 2024-2025 but when she has already taken admission in the respondent no. 7 college and seats are still vacant in the said college, in the backdrop of such suspension of the affiliation of the respondent no. 8 college, it is not just or proper to deny the prayer of the petitioner to continue her studies with the respondent no. 7 college.

Therefore, the petitioner is permitted to continue her studies for the said course with the respondent no. 7 college and to facilitate it, the concerned authority of the Ministry of Ayush, Government of India is required to open the designated portal for enrolment of the petitioner in the said course, upon such enrolment, the Registrar of the West Bengal University of Health Sciences, the respondent no. 11 herein, shall do the registration of the petitioner.

The respondent no. 7 college shall take steps allowing the petitioner to continue her said course with the said college.

In view of urgency, it is expected that the respondent authorities shall complete their respective drills as expeditiously as possible.

WPA 4344 of 2025 is disposed of with the above terms without any order as to costs.

Parties to act on the server copy of this order duly downloaded from the official *website* of this Court.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Biswajit Basu, J.)