

73 19-05-2025
AKG
Ct. 15

WPA 8252 of 2025
Diya Ghosh
Vs.
The State of West Bengal & Ors.

Mr. Anirban Dutta,
Mr. Probal Sarkar,
Mr. Lal Ratan Mondal

...for the Petitioner

Mr. Amitava Chaudhuri,
Mr. Pradipta Siddhanta

...for the University

Mr. Swapan Kr. Datta,
Mr. Tapas Kr. Dey

...for the State

The petitioner is an M.Sc. (Geography) student at Kanyashree University for the academic session 2023-2025.

The M.Sc. course consists of four semesters, spanning two years. The petitioner cleared her first and second semesters in 2024. However, she was absent for one paper in the third semester (Bengal Elective Paper), for which the result was declared as “SNC” (Semester Not Cleared). She cleared all other papers of the third semester.

The petitioner’s grievance is that the university has not permitted her to pursue the fourth semester course.

The learned advocate for the university has referred to Regulation 11(e) of the Kanyashree University Uniform Examination Regulations for Two-Year Post Graduate (M.A./M.Sc./M.S.W./L.L.M.) Courses (Under C.B.S.C.).

Regulation 11(e) of Kanyashree University is quoted below:

“11. Minimum Criterion for Pass

...

e) To appear at the (final) 4th semester examination (subject to fulfilment of Clause NO. 5), a student must qualify all the previous semester examinations as a whole. However, if any student fails to secure qualifying marks in the 4th semester, then she needs to appear at the preceding 4th semester as and when it will be held.”

The university accordingly, argues that the petitioner does not qualify to appear in the 4th semester examination.

However, I am of the view that the university should have allowed the petitioner to pursue the 4th semester in view of Regulations 11(c) and (d), which are quoted below:

“c) To appear at the higher semester examination, a candidate must secure qualifying marks in at least three courses in each semester. Corresponding result status for the candidates with unsuccessful courses of less than three will then be “SNC” Semester Not Cleared. She will be allowed to join classes for the next higher semester.”

d) If a candidate fails to qualify or fails to appear in more than three courses (irrespective of the nature of the course) in a semester, she shall be treated as *Failed*, with result status “F” and shall have to repeat the semester as a whole in the next year (subject to compliance of Clause 5). She shall not be allowed to join classes of the next semester.”

Therefore, a candidate who has been given an ‘SNC’ status is allowed to continue with subsequent higher semesters while a student with “F” status is debarred from joining the classes of the next semester. The case of the petitioner is covered under clause (c) not under clause (d).

Accordingly, this writ petition is allowed. The university shall permit the petitioner to pursue the regular classes for the 4th semester and participate in the internal examinations.

It is clarified that the petitioner shall take the Bengal (Elective Paper) when the university schedules the said paper. The university shall then publish the petitioner’s result accordingly.

There cannot be any difficulty is found in adopting the above course as it conforms with Rule 5 of the said regulation, which stipulates a maximum period of four years to complete the course.

Accordingly, **WPA 8252 of 2025** stands allowed.

Urgent certified *website* copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Kausik Chanda, J.)

