

24.04.2025
Item No.7, DL
Court No.17
AJ.

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION

W.P.A. 8981 of 2025

Ankita Bhattacharjee

-Vs-

**The Vice Chancellor, West Bengal
University of Health Sciences & Ors.**

Mr. Gaurav Purkayastha. for the Petitioner.

Mr. D. N. Maiti,

Mr. A. Santra, for the respondent nos. 1 to 3.

Mr. Aditya Chakraborty,

...for the respondent nos. 4 to 6.

Affidavit-of-service is filed on behalf of the petitioner; let it be kept with the record.

The petitioner is pursuing her Bachelor of Medicine, Bachelor of Surgery (MBBS) at Santiniketan Medical College, District: Birbhum.

The petitioner, on November 21, 2023, fell ill and was admitted to the college hospital; she was subsequently admitted to B.P. Poddar Hospital, New Alipore, Kolkata wherein she was detected to have leptospirosis, a rare type of disease; consequently, she could not attend her regular classes for Phase-2 (Semester 3 & 4), i.e. Second Professional MBBS which resulted in shortfall of attendance by 35% for the said phase.

The petitioner has recovered now and is praying that the College authorities may be directed to provide her extra classes to cover the said shortfall enabling her to take up the supplementary examination for the said 2nd Professional MBBS (New Regulation) and simultaneously, she may also be permitted to take up regular classes for Phase-III (Semester 5 & 6), i.e. Third Professional MBBS.

Learned Advocate for the College Authority submits that the college has already arranged such extra classes for other students. The college shall also provide the petitioner with the opportunity of taking up the said extra classes to cover the said shortfall and to take up the supplementary examinations. The petitioner, if is fit enough to take extra load, the college would also permit her to attend the classes for Phase III of the said course.

Learned Advocate for the West Bengal University of Health Sciences ('the University' in short) submits that it is for the college to ascertain physical fitness of the petitioner to take the load of extra classes.

Heard Learned Advocate(s) for the parties, perused the materials-on-record.

The petitioner had a *bona fide* explanation for not attending her regular classes. The college is inclined to provide her with a scope to make good of the shortfall in her attendance and if her present physical condition permits her to take the classes of Part-1 Phase –III simultaneously with the said extra classes of Phase-II, she can avoid facing shortfall in her attendance for Phase-III of the said course.

The College, therefore, is directed to provide extra classes to the petitioner for **Phase-II (Semester 3 & 4)**, i.e. **Second Professional MBBS** of the said Course and to permit her to attend the regular classes of the **Third Professional MBBS Part-I of Phase-III (Semester 5 & 6)** of the said Course.

It is made clear that this order has been passed in the facts and circumstances of the present case; as such, would not be treated as precedent.

Needless to say that the University shall extend necessary co-operation to the College in uploading the attendance details and other essential testimonials of the petitioner in its relevant portal.

W.P.A. 8981 of 2025 is disposed of with the above terms without any order as to costs.

Since no affidavit has been invited, the allegations made in the writ petition are deemed to have been denied by the respondents.

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.)