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18.06.2025
Court No.17
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IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION

WPA 10255 of 2025

Sarif Mondal

Vs.

The State of West Bengal & Ors.

Ms. Mousumi Bhowal

...for the Petitioner.

*Mr. Swapan Kr. Datta, Sr. Adv. & AGP,
Mr. Dipankar Das Gupta*

...for the State.

*Mr. Amitava Chaudhuri,
Mr. Nirmalaya Roy*

...for the University.

The petitioner is a student of 6th Semester of 3 years LL.B. (Honours) Course at Law College, Durgapur, a college under the Kazi Nazrul University.

The petitioner, even after availing two consecutive chances, could not clear the Contract-II paper of the 2nd semester.

The petitioner intends to take the supplementary examination for the said paper to be held in this year.

The petitioner is alleging that for the said purpose, he had attempted to upload his online application in the relevant portal of the University but has failed.

The petitioner is praying that the University may be directed to permit him to upload his said online application enabling him to take the said supplementary examination.

The University, as directed by the order dated May 06, 2025, has filed the report today; let it be kept with the record.

It appears from the said report that though the University has considered the case of the petitioner sympathetically but the relevant regulation does not permit a student to clear the backlog after exhausting two opportunities, which the petitioner has already availed.

Learned advocate for the petitioner submits that in terms of the guideline of the University Grants Commission (UGC) which was circulated to the Vice-Chancellors of all Universities under a letter bearing No. D.O. No.F.12-1/2015(CPP-II) dated October 15, 2015, the petitioner, beyond

the normal span of the course, is entitled to have two more years to clear the entire course.

Mr. Chaudhuri, learned advocate for the University submits that the petitioner has already availed the extended period to clear the said backlog.

Mr. Datta, learned AGP, submits that the UGC guidelines do not prescribe any new span of time to complete the course.

Having heard the learned advocate for the parties and on perusal of the materials-on-record, it appears that the normal span of the said course is 3 years and the petitioner, in terms of the relevant regulation has already availed two successive chances to clear the backlog of Contract-II paper in the 2nd semester.

The guideline of UGC does not prescribe further extension of time to clear the backlog; as such, the said guideline is of no help to the petitioner. The petitioner therefore is not entitled to any further chance to take up the supplementary examination, as prayed for.

W.P.A. 10255 of 2025 is dismissed 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 copies of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Biswajit Basu, J.)