

Item.39

20.03.2025
ssi

Ct. 17

**WPA 17369 of 2024
CAN 1 of 2024**

Trishna Pahari

-vs-

The State of West Bengal & others

Mr. Nilendu Bhattacharya

Ms. Sumita Shaw

Mr. Soumen Chatterjee

...for the petitioner

Mr. Swapan Kr. Dutta

Mr. Rajat Dutta

... for the State

Mr. Soumya Majumder

Mr. Vivekananda Bose

Mr. Ratikanta Pal

...for the University

Learned counsel appearing on behalf of the petitioner submits as follows. Pursuant to an earlier order passed by this Court, the petitioner has been allowed to participate in the internal examination for the 2nd semester. It has now been found and admitted that there were more than one teacher in the subject of Bengali in the respondent College. The College did not send the proper data for uploading at the time of registration. That is why there was a doubt about whether the petitioner could appear in the examination. Now, it has been made abundantly clear that there are two teachers in the subject of Bengali. Therefore, there is no impediment on the petitioner to appear in the examination. Incidentally, the petitioner had missed the first semester

examination. She may be permitted to take the 1st semester examination with the 3rd semester examination.

Learned counsel representing the University denies the allegations made in the writ petition and submits as follows. It was because of a mistake committed by the College that doubt arose as to whether the petitioner could sit in the examination. Now, it has been made clear that there are two teachers in the subject of Bengali. The petitioner shall be eligible to sit in the examination. However, in the meantime, the College has been de-affiliated. So, the petitioner shall be treated similarly with the other candidates who had taken admission along with her. The petitioner shall also be at liberty to pray for taking the examination for the 1st year along with the 3rd semester examination.

In view of the above, let the petitioner be allowed to sit in the examination in question. So far as the earlier examination which the petitioner has missed in the 1st semester, she shall be at liberty to make a prayer before the University to allow her to take both the 1st and 3rd Semester examinations together.

If such an application is made, the same shall be decided by the University in accordance with law and as expeditiously as possible. For all other practical purposes, the petitioner shall be treated in the same manner as the other students who had taken admission along with her.

With these observations and directions, the writ petition is disposed of.

Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Jay Sengupta, J.)