

30.07.2025
Item No.09
Court No.11
Avijit Mitra

**MAT 1115 of 2025
with
IA No. CAN 1 of 2025**

**Sanjoy College of Education & anr.
- Versus -
The Baba Saheb Ambedkar Education
University & ors.**

Mr. Partha Sarathi Bhattacharyya, Sr. Adv.,
Mr. Raju Bhattacharya,
Mr. Sunit Kumar Roy,
Ms. Susmita Mondal

... for the appellants

Mr. Anindya Bose,
Mr. Golam Mohiuddin,
Mr. Mridul Biswas

... for the writ petitioners/private
respondents

Mr. Parashar Baidya
... for the University

The present appeal has been preferred challenging an order dated 14th July, 2025 passed by the learned single Judge in the writ petition, being WPA 9983 of 2025 which was preferred by the writ petitioners/private respondents (hereinafter referred to as the said students) praying for issuance of necessary direction upon the respondents to allow their registration in the B.Ed Programme for the academic session 2024-26. From the order impugned it appears that the learned single Judge arrived at a finding that the said students had been denied registration in the Baba Saheb Ambedkar Education

University (hereinafter referred to as the said University) as their College, namely, Sanjoy College of Education (hereinafter referred to as the said College) had failed to upload their credentials in the relevant portal of the said University and accordingly, directed the said University to register the students in the B.Ed course for the session 2025 subject to payment of costs of Rs. 50,000/- for each of the students by the said College.

Mr. Bhattacharyya, learned senior advocate appearing for the said College and its functionaries submits that it was an inadvertent error on the part of the College authorities to upload the credentials of the students of the session 2024 to 2026 on the designated portal of the said University. The College authorities have, however, allowed the students to attend their classes on and from the month of November, 2024. In support of such contention he has placed reliance upon the original attendance register of the said College. Photostat copies of the relevant pages have been filed. Let the same be kept on record.

According to Mr. Bhattacharyya, for the inadvertent error, the learned single Judge ought not to have penalized the said college authorities through imposition of cost of Rs. 50,000/- for each student.

Mr. Baidya, learned advocate appearing for the University and its functionaries has, however, seriously disputed the contention of the appellants. According to him, the College authorities miserably failed to discharge their obligations and that as such the learned single Judge had rightly imposed costs. No reliance can be placed upon the attendance register, as produced, since it has been directed by the National Council for Teacher Education to all the colleges to record the regular attendance upon installation of Bio-metrics machine. Let the memo dated 17th July, 2019, as produced, be kept on record.

He argues that directions towards registration at this belated stage would prejudice the University authorities since such registration would disrupt the examination process which would affect the rights of the students, who registered their names within the time specified.

Mr. Bose, learned advocate appearing for the students, however, submits that there had been no fault on the part of the students. Upon payment of necessary fees they were admitted in the said College and they were also allowed to attend the classes regularly and suddenly in the month of April, 2025 they came to learn that the said College had not

uploaded their credentials in the designated portal of the said University. For the laches on the part of the college authorities, the students cannot be penalized.

We have heard the learned advocates appearing for the respective parties and considered the materials on record.

Records reveal that the students applied through *online* mode in the B.Ed course for the academic session 2024-25 and their names appeared in the list generated by the said University based on merit and performance for admission. On the basis of such enlistment, they availed admission in the said College and started attending the classes from the month of November, 2024. The University had undertaken admission in three phases, which expired on 12th April, 2025 and registration of all three phases expired on 23rd April, 2025. The writ petition was affirmed in the month of April, 2025 and in the midst thereof, it was admitted on behalf of the said College by a letter dated 23rd April, 2025 that inadvertently the students' credentials could not be uploaded.

Costs signify the sum of money which the Court orders one party to pay another party in respect of the expenses of litigation. It is awarded not as a punishment of the defeated party but as

recompense to the successful party for the expenses to which it had been subjected. In the present case, the said University does not appear to have incurred any substantial expense towards litigation nor had it suffered any insurmountable inconvenience for the direction to register the students. It needs to be noted that the University had not preferred appeal against the order impugned in the present appeal directing registration of students subject to payment of costs. It also does not appear that the College had adopted any unscrupulous means to delay the process of registration. The students' credentials were not uploaded inadvertently and not with an intent to earn any benefit.

In such circumstances, imposition of costs of Rs. 50,000/- for each student upon the appellants appears to be a bit harsh. However, the laches on the part of the said College cannot be totally ruled out.

Accordingly, this Court directs the said College to pay an amount of Rs. 20,000/- for each student to the University for registration.

We make it clear that the above order has been passed in the peculiar facts and circumstances of the case and the same shall not be treated as a precedent.

The learned single Judge directed the Principal of the said College to meet with the University authorities within seven days from the date of the order to complete the formalities. However, as such period has already expired, we extend such time till 1st August, 2025.

With such modification, the appeal and the connected application are disposed of.

There shall, however, be no order as to costs.

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

(Reetobroto Kumar Mitra, J.) (Tapabrata Chakraborty, J.)