

27.11.2025
rpan/19-20

MAT 1761 of 2025
+
IA No. CAN 1 of 2025
Jiaganj School and College of Nursing
- *Versus* -
The State of West Bengal & Ors.

with

MAT 1762 of 2025
+
IA No. CAN 2 of 2025
Tanushree Mandal & Ors.
- *Versus* -
Jiaganj School and College of Nursing

Mr. Biswaroop Bhattacharya
Mr. Sumitava Chakraborty
Ms. Bratati Pramanik
.... For the appellant
(in MAT 1761/2025)
&
Respondent no.1
(in MAT 1762/2025).

Mr. Aditya Mondal
Ms. Neelanjana Ghorui
..... For the appellants
(in MAT 1762/2025).

Mr. Swapan Kumar Dutta,
Mr. Biplab Guha
Mr. Jaladhar Das
..... For the State
[in both the appeals].

Mr. Nilotpall Chatterjee
.... For the Indian Nursing Council
[in both the appeals].

Mr. Abir Sarkar
.... For the WBNC
[in both the appeals].

Mr. D. N. Maiti
..... For the WBUHS
[in both the appeals].

Mr. A. Chaudhuri,
Mr. Nirmalya Roy

.... For the WBJEEB
[in both the appeals].

Records reveal that an appeal, being MAT 1761 of 2025 was preferred by Jiaganj School and College of Nursing (hereinafter referred to as the said college) challenging an order dated 3rd October, 2025 passed in the writ petition being WPA 23832 of 2025. One Tanushree Mandal and 40 other students of the said college also sought for leave to prefer an appeal against the same order dated 3rd October, 2025. Such leave was granted and an appeal, being MAT 1762 of 2025 was registered. Both the appeals were taken up for analogous hearing and an order was passed on 31st October, 2025 directing the respondents/authorities to allow the enrolment of the appellants in MAT 1762 of 2025 for the Post-Basic B.Sc. Nursing Part – I examination and to allow them to download their admit cards to enable them to participate in the said examination. Pursuant to the said order, the appellants in MAT 1762 of 2025 were granted provisional registration and were allowed to participate in the examination which commenced on and from 11th November, 2025. The writ petition being WPA 23832 of 2025 is still pending.

Another appeal, being MAT 1884 of 2025 was preferred by one Ananya Mondal and others challenging an order dated 24th September, 2025 passed in a writ

petition being WPA 18706 of 2025 and seeking appropriate direction to allow the appellants therein to participate in the self-same examination. In course of hearing of the said appeal, the appellants were granted provisional registration and were allowed to participate in the examination. In view thereof, the said appeal was disposed of by an order dated 10th November, 2025 with liberty to the appellants to mention the writ petition before the learned single Judge for expeditious disposal.

The writ petition being WPA 23832 of 2025 is yet to be disposed of finally upon exchange of pleadings and in such circumstances if the present appeal, preferred against an interim order, is decided by this Bench, the parties may lose a forum.

In view thereof, the present appeals and the connected applications are disposed of with liberty to the parties to approach the learned single Judge for expeditious disposal of the writ petition. Affidavits-in-opposition filed on behalf of the State/respondents and the West Bengal Joint Entrance Examination Board in both the appeals, be kept on record.

We have not gone into the merits of the case and all points are left open to be decided by the learned single Judge in the writ petition.

It is also made clear that participation of the appellants in MAT 1762 of 2025 in the examination shall

not create any equity in their favour and such participation shall abide by the result of the writ petition.

As the appeal being MAT 1762 of 2025 was registered after allowing an application for leave to appeal, the right of the appellants to participate in the proceedings stands recognized. In view thereof, the said appellants are directed to file a formal application for addition of party in the pending writ petition, being WPA 23832 of 2025 so that they may be impleaded and get an opportunity to urge their claim before the learned single Judge.

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

Urgent photostat certified copy of this order, if applied for, be given to the learned advocates for the parties.

(Partha Sarathi Chatterjee, J.) (Tapabrata Chakraborty, J.)