

In the High Court at Calcutta

Constitutional Writ Jurisdiction

Appellate Side

Judgment (2)
Moumita
Daily list Item No. 3
Court No. 38
07.11.2025

**Present :
The Hon'ble Justice Aniruddha Roy**

W.P.A. 25142 of 2025

Mahmudur Rahman

Vs.

The State of West Bengal & Ors.

For the Petitioner	:	Mr. Rahul Karmakar Mr. R. Chowdhury Mr. D.K.Deashi
For the WBMCC	:	Mr. Sirsanya Bandyopadhyay Mr. Arka Kumar Nag Ms. Deboleena Ghosh Ms. Riya Naskar
For the National Medical Commission	:	Mr. Sunit Kr. Roy
For the Respondent nos. 5 & 6	:	Mr. D. N. Maiti Mr. Asumdipta Santra Ms. Champa Pal
Heard on	:	07.11.2025
Judgment on	:	07.11.2025

Aniruddha Roy, J.:

1. Upon urgency pleaded and since the regular determination has been assigned to this Court, the writ petition has been taken up for consideration.
2. Affidavit-of-service, filed in Court today, is taken on record.

3. Mr. Rahul Karmakar, learned counsel, through virtual mode appears for the petitioner with Mr. Ritwick Chowdhury, learned counsel appears in physically.
4. Mr. Sunit Kr. Roy, learned counsel appears for the National Medical Commission/respondent no. 7.
5. Mr. Asumdipta Santra, learned counsel led by Mr. D.N. Maiti, learned counsel appears for the respondent nos. 5 and 6.
6. Ms. Riya Naskar, learned counsel led by Mr. Arka Kumar Nag, learned counsel appears for respondent no. 3.
7. The petitioner is an aspirant for the WBUG medical counseling for the year **2025-2026**. The petitioner participated as OBC candidate and subsequently by virtue of a sponsorship received from an NRI, the petitioner intended to participate in the selection process under the NRI quota. A provisional allotment letter has already been issued on **November 5, 2025, annexure p-11 at page 134** to the writ petition, in favour of the petitioner by the respondent no. 3.
8. Since, the petitioner could not produce the certificate of relationship with the NRI relative issued by the competent revenue authority, as mentioned in the notice dated **September 26, 2025 annexure p-5 at page 45** to the writ petition, before the respondent no. 4, the said authority has not considered the candidature of the petitioner as NRI sponsored candidate.
9. Mr. Rahul Karmakar, learned counsel appearing for the petitioner submits that subsequently on **October 10, 2025** the petitioner ultimately has

produced said relevant certificate appearing **at page 86** to the writ petition before the respondent no. 4.

10. In view of the above, since the provisional allotment letter has already been issued in favour of the petitioner by the respondent no. 3 featuring the name of the relevant college, the petitioner shall forthwith serve copy of this writ petition upon the respondent no. 4 along with a copy of today's order. The respondent no. 4 then shall take its decision on the issue by passing a reasoned order in accordance with law positively within a period of **one week** from the date of the communication of this order. The respondent no.4 shall also communicate its reasoned order to the petitioner, respondent no. 3 and the relevant medical college positively within a period of **three days** from the date of the said reasoned order to be passed.
11. The petitioner shall then also communicate the reasoned order, if it goes in favour of the petitioner, to the relevant college who shall take steps in accordance with law.
12. While considering the issue the respondent no. 4 shall also consider the state holidays, when the office of the Revenue Officer was also closed due to official holidays announced by the state.
13. It is made clear that, this court has not gone into the merits of the candidature of the petitioner.
14. It is made clear that, this order shall not create any right or equity in favour of the petitioner.

15. It is clarified that, the entire process including the consideration by the relevant college must be completed ***within the cut off date*** fixed by the respondent no. 4 for admission of the students.
16. Since affidavits are not called for, the allegations made in this writ petition are deemed not to have been admitted by the respondents.
17. With the above observations and directions this writ petition, **WPA 25142 of 2025** stands ***disposed of***, without any order as to costs.

(Aniruddha Roy, J.)