

S/L 12
14.11.2025
Court No.17
SD

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
WPA 25812 of 2025

Sk Taha
Vs.

St. Xavier's University, Kolkata & Ors.

Md. Shahjahan Hossain
Mrs. Sanjida Sultana
Mr. P. Biswas
Mr. Sanwar Mullick

...for the Petitioner.

Mr. Partha Sarathi Sengupta, Sr. Adv.
Mr. R.N. Jhunjunwala
Mr. Ramesh Kumar Patodia
Ms. Megha Agarwal
Mr. Mohit Gupta

...for the Respondent Nos.1-4.

Affidavit of service filed on behalf of the petitioner be kept with the record.

The petitioner is a student of B.Com LL.B. (Honours) at St. Xavier's University, Kolkata. The first semester examination of the said course had commenced on and from November 12, 2025. The University is not inclined to allow the petitioner to take the said semester examination for shortfall in his required attendance.

Mr. Shahjahan Hossain, learned advocate submits that the petitioner has 62.15 % of attendance, a little bit short of the required attendance of 65%, the University therefore, should have condoned the said shortfall to save loss of one academic year of the petitioner.

Mr. Partha Sarathi Sengupta, learned senior advocate for the University submits that in terms of the Norms of the Bar Council of India, the University has framed the regulations for the students' attendance, which stipulates that a student must maintain 75% aggregate attendance in a semester to be eligible to appear for the end semester examination and also for the promotion for the next semester, condonation may be considered only for those students whose attendance is 65% or more but could not maintain 75% aggregate attendance, even after all admissible adjustment.

He further submits that the petitioner was provided with additional classes to cover the said shortfall, even thereafter he has failed to secure the minimum 65% attendance, therefore, the University though sympathetic but cannot allow the petitioner to take the ensuing first semester examination of the course by

compromising with the requirement of the Rules and Regulations operating the field.

Having heard the learned counsel for the parties and on perusal of the materials-on-record, it appears that in terms of the Rules and Regulations framed by the University for the Students' Attendance Requirement and the attendance management Procedure, a student is to maintain a minimum 75% attendance in a semester to be eligible to appear in the end semester examination. The requirement can be relaxed in appropriate cases, up to 65%, which the petitioner has failed to secure even after attending the additional classes provided by the University. The petitioner, even after attending additional classes in one subject i.e. Legal Method could enhance his attendance to 50%.

The maintenance of required attendance is an integral part of the course therefore it is difficult for the University to compromise with the said requirement.

This Court is not inclined to entertain the prayer of the petitioner for condonation of the shortfall in his attendance. WPA 25812 of 2025 is accordingly 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 the order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Biswajit Basu, J.)