

Court No. 38

19.12.2025

(Item No. 36)

(AB)

**In the High Court at Calcutta
Special Civil Jurisdiction
Appellate Side**

**C.P.A.N. 1847 of 2025
in
W.P.A. 20261 of 2025
+
CAN 1 of 2025
+
CAN 2 of 2025**

Devdeep Singh
VS
Dr. Subhasis Datta, Controller of Examination,
Maulana Abul Kalam Azad University of Technology
& Anr.

Mr. Sattwik Bhattacharyya
Mr. Aashutosh Bhattacharyya
Mr. Aritra Roy
Mr. Rohit Basak
.... For the petitioner/
Applicant in CAN 2 of 2025
and Contempt Application
Mr. Nilotpal Chatterjee
Mr. Suddhadev Adak
.... For the State
Mr. Joydip Kar
Mr. Pijush Biswas
Ms. Suchitra chatterjee
.... For respondent no. 4 in
CAN 1 & 2 of 2025 and alleged
contemnor no. 2 in CPAN 1847 of 2025
Mr. Soumya Mazumder
Mr. Uttam Kumar Mandal
Mr. Pourush Bandyopadhyay
.... For University

In Re: **CAN 1 of 2025 and CAN 2 of 2025**

CAN 1 of 2025 is an application for modification of the judgment and order of this Court dated November 3, 2025 taken out by respondent no. 3/University in the fact situation mentioned therein.

CAN 2 of 2025 is an application praying for modification of the same judgment and order of this

Court dated November 3, 2025 taken out by writ petitioner in the fact situation mentioned therein.

After hearing the parties it appears to this Court that a procedural rigour has arisen for which the future of a student cannot suffer.

The original pass out year of the petitioner is 2024-2025. Had he not become unsuccessful to any examination and he would not have to appear in the supplemental examination.

In the facts of this case, the petitioner being an unsuccessful candidate had appeared in the special supplemental examination on **November 6, 2025**. He has become successful ultimately.

The law is well settled that, if a candidate appears in a supplemental examination and ultimately become successful then his/her academic pass out year should be considered as the original pass out year had there not been any supplemental examination for him/her to appear.

The College has intimated the petitioner by a communication dated **December 1, 2025** at **page 15** to the affidavit-in-opposition filed by respondent no. 4 in CAN 2 of 2025 that he has qualified but the College has not yet published the final result.

In view of the above, it is made clear and clarified that when the College shall publish result which will show that the petitioner has qualified in the

supplemental examination, the pass out year for the petitioner should be considered as **2024-2025**.

Taking into account of the said pass out year of the petitioner being **2024-2025**, the University shall issue its certificate accordingly. Immediately after the final result shall be published, the College shall issue the necessary provisional certificate and final grade card in accordance with law.

The entire process shall be expedited both by the College and the University.

It is also clarified that, the final certificates shall be issued in favour of the petitioner along with all other pass out candidates for the year 2024-2025, on the same day.

With the above observations and directions the judgment and order dated **November 3, 2025** stands clarified accordingly.

In view of the above, both the said two applications being **CAN 1 of 2025** and **CAN 2 of 2025** stand **disposed of**.

Since these applications have been disposed of and the original judgment and order stands modified, there will be no further force in the pending contempt application. The parties also jointly pray for dropping of the said contempt proceeding.

Accordingly, the contempt proceeding being **CPAN 1847 of 2025** stands **dropped** and **closed**.

The application being **CPAN 1847 of 2025**
stands **disposed of**.

(Aniruddha Roy, J.)