S/L 22
Vacation Bench
29.12.2025
Court No.07
S.M/B.K.N

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION

WPA 29824 of 2025

Aadipta Ghosh
Vs.
The West Bengal University of Health Sciences & Ors.

Mr. Sudipta Dasgupta,
Mr. Arindam Shit,
Mr. Deb Kumar Deashi

... for the Petitioner.

Mr. D. N. Maikti,
Mr. A. Santra

... for the Respondent Nos. 1-3 (WBUHS).

The petitioner sat in the MD-General Medicine under new regulation in the September, 2025 examination. The petitioner was declared successful in all the papers including the practical examination excepting the Paper I. The petitioner has applied before the Registrar West Bengal University of Health Sciences praying for review/reevaluation of the answer scripts of the petitioner of Paper I of the MD-General Medicine, September, 2025 examination.

The learned advocate appearing for the petitioner submits that no decision on such representation has been communicated to the petitioner till date.

The learned advocate appearing for the respondent University submits that there is no provision for review in the relevant regulation.

However, since the representation has been submitted by the petitioner before the respondent authorities, the respondent authorities is duty bound to communicate its decision on such representation.

In the light of the submissions made by the learned advocate for the respective parties and without entering into the merits of the claim made in the said representation, **W.P.A.**

29824 of 2025 stands disposed of by directing the Controller of Examinations, The West Bengal University of Health Sciences being the third respondent to consider the representation of the petitioner dated December 8, 2025 and dispose of the same by passing a reasoned order and communicate the same to the petitioner as expeditiously as possible but positively on or before January 14, 2026.

The Registrar, The West Bengal University of Health Sciences being the second respondent is directed to forward the representation dated 8th December, 2025 to the Controller of Examinations, The West Bengal University of Health Sciences being the third respondent forthwith.

The learned advocate appearing for the petitioner places reliance upon a decision of the coordinate Bench deliver on 16th April, 2018 in ***W.P. 4714 (W) of 2018*** in the case of ***Snehasish Pan –Vs.- The West Bengal University of Health Sciences & Ors.*** in support of his contention that the university authorities may be directed to review the answer scripts of the petitioner.

After going through the said decision this Court finds that no ratio was laid down in the said decision and the direction of review was passed only on a concession being made by the learned advocate for the university. The said decision is not as authority for the proposition that an examinee can seek review or re-evaluation of answer sheet of an MD-General Medicine Examination.

(Hiranmay Bhattacharyya, J.)