

ADSL-01
30.01.2026
Ct. No.18
pg./D. Hira

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 2179 of 2026

Ayan Das (minor) represented by
his mother Manjula Das

v.

The State of West Bengal & Ors.

Mr. Suman Dey
... For the petitioner

Mr. Swapan Kumar Datta, Ld. GP
Mr. Tapas Kumar Roy
... For the State

Ms. Koyeli Bhattacharyya
Mr. Bibek Dutta
Mr. Manas Bhattacharyya
... For the WBBSE

Mr. Ravi Kumar Dubey
... For the respondent nos.8 & 9

1. The career of a young student has been jeopardized because of the irresponsible act of the school authority.

2. It appears that the petitioner has a namesake in his class. His namesake failed to qualify in the test examination. Despite the same, the school inadvertently forwarded the details of the namesake of the petitioner to the West Bengal Board of Secondary Education for enrolment and issuance of admit card. In the process, the name of the petitioner was not forwarded by the school to the Board for enrolment for

which the Board was unable to issue admit card in favour of the petitioner.

3. Learned counsel for the petitioner earnestly prays for a direction upon the Board to permit the petitioner to appear in the Madhyamik Examination or else despite being successful in the test examination, he will lose one academic year.

4. Learned counsel representing the school admits the mistake. It is submitted that the moment the mistake was detected, the representative of the school visited the office of the Board for making necessary correction but the Board disallowed such prayer on the plea that the online portal for making necessary correction has closed.

5. The prayer of the petitioner is vociferously opposed by the learned counsel representing the Board. It has been submitted that repeated opportunities were granted by the Board to the school as well as the participating candidates to update and correct in the dedicated portal all the information required for the purpose of appearing in the Madhyamik Examination. The school ought to have taken necessary steps in proper time. There was no requirement of the school to visit the office of the Board for making the necessary correction after the time for correction ended. It was the duty of the school to make necessary correction online in the portal which was opened by the Board.

6. It has been submitted by the Board that disciplinary action ought to be taken against the Head of the Institution for the error that he has committed.

7. Various problems which the Board will face if the prayer of the petitioner is allowed at such a late stage have been highlighted.

8. I have heard and considered the submissions made on behalf of all the parties.

9. Admittedly, it appears that there has been serious lapse on the part of the school in forwarding proper details of the candidates eligible to participate in the Madhyamik Examination. The school forwarded the details of a candidate who was unsuccessful in the test examination and could not be permitted to appear in the Madhyamik Examination.

10. The school ought to have forwarded the details of the petitioner as he was successful in the test examination and eligible to sit for the Madhyamik Examination. For the fault of the school, the academic career of a student ought not to be hampered.

11. Madhyamik Examination is the first Board examination which a student takes and the same bears extreme importance in the future career of a student. Not allowing the petitioner to participate in the Madhyamik Examination for no fault of his own, will cause serious injustice to him.

12. Keeping in mind the interest of the student, the Court is inclined to exercise jurisdiction in the matter.

13. The Court is aware that the Board will face immense difficulties if at the last moment direction is passed for enrolling the candidate and issue admit card in his favour, but as it has been mentioned above, it is only for the best interest of the student that the Court is minded to pass this order.

14. The West Bengal Board of Secondary Education is directed to enroll the candidate and to issue admit card in favour of the petitioner incorporating proper details so that he can sit for the Madhyamik Examination, 2026 scheduled to start from 2nd February, 2026.

15. The representative of the school and the student both are directed to visit the office of the West Bengal Board of Secondary Education by 4:00 p.m. today i.e. 30th January, 2026. Subject to payment of the enrolment fee, penalty charges and on compliance of necessary formalities, the Board shall enroll the petitioner as a candidate for the ensuing Madhyamik Examination and issue admit card in his favour so that he can sit in the Madhyamik Examination.

16. The school is directed to deposit a sum of Rs.10,000/- (Rupees ten thousand only) in the office of West Bengal Board of Secondary Education as costs in course of the day.

17. In the event such payment is not made, the school will not be permitted to send up any candidate for the future Madhyamik Examination.

18. It will be open for the West Bengal Board of Secondary Education to take necessary disciplinary action against the erring officer of the school so that similar lapses do not take place in future causing inconvenience to the candidate and the Board.

19. The writ petition stands disposed of.

20. All parties shall act on the basis of a server copy of this order duly downloaded from the official website of this Court.

21. Urgent photostat certified copy of this order, if applied for, be given to the parties, upon compliance of necessary formalities.

(Amrita Sinha, J.)