

13-02-2026
Item No.9
Subrata
Bhattacharyya
AR(C)

IN THE HIGH COURT AT CALCUTTA

Constitutional Writ Jurisdiction
Appellate Side

WPA No.3388 of 2026

Sayani Das

-vs-

The State of West Bengal & Ors.

Mr. Sudipta Dasgupta
Mr. Tasnim Ahamed
Ms. Sinjini Chakraborti ...for the petitioner

Mr. U.S. Menon
Mr. Abhirup Chakraborty ...for CBSE

Mr. Uttam Kumar Mandal
Ms. Maitree Roy
Ms. Uditā Mandal ...for the school

Mr. Arindam Chattopadhyay
Ms. Lipika Chatterjee ...for the State

1. The petitioner was due to appear in the class XII Board examination conducted by the Central Board of Secondary Examination for the year 2026. She has been debarred from appearing in the said examination due to shortfall in her attendance.
2. According to the petitioner, she was suffering from prolonged illness of jaundice for which she was unable to attend school from July 4, 2025 to August 28, 2025.
3. It has been contended that the illness of the petitioner has to be taken to be of serious nature and the candidature of the petitioner should be considered and recommended by the school to the Board for appearing in the forthcoming CBSE

Class XII Examination, 2026.

4. Learned counsel for the school submits a bunch of documents wherefrom it appears that the petitioner's attendance up to January 1, 2026 was 47.97%. She attended 71 days out of 148 days. She has not been recommended for appearing in the Board examination.
5. It has been submitted by the learned counsel for the school that regular parental information was sent to the parents of the petitioner to draw their attention and to make them aware with regard to shortfall of the attendance of the petitioner. None cared to improve such attendance.
6. It has also been submitted that the candidate is weak in academics. For the aforesaid reasons, the school has not recommended the petitioner to appear in the Board examination.
7. The school has submitted that the same will lay down a very bad precedent.
8. Learned counsel for the Board submits that as the candidate has not been recommended by the school, accordingly, the Board cannot permit the petitioner to appear in the examination.
9. Upon hearing the respective submissions made on behalf of the parties and on perusal of the materials on record, it appears that the petitioner failed to attain the minimum required attendance i.e. 75%. Though there is provision for condonation of the shortfall in the percentage of attendance, but the petitioner has not been able to come forward with any supporting document for which the candidate's shortfall in attendance may be considered for condonation.
10. The medical certificate relied upon by the petitioner has been obtained from a private

medical practitioner. The school follows the procedure of requirement of submission of medical certificate from Government institution.

11. Considering the academic standard of the petitioner and her percentage of attendance, the Court is not inclined to interfere with the decision of the school to debar the petitioner from appearing in the forthcoming Board examination.
12. The Court is of the opinion that showing any leniency or sympathy may not be in the best interest of the petitioner. Such misplaced sympathy may embolden the petitioner to defy laws and to rush to Court for relief. A school student ought to follow and comply with all the rules and regulations maintained by the school so that the student can grow up as responsible citizen of the country.
13. As a uniform principle has been followed by the school in respect of all other students with low attendance, there is no reason why the Court will direct the school to depart from the same.
14. The Court is not inclined to interfere in the instant writ petition. The same fails and is hereby dismissed.
15. All parties are to act on the server copy of this order duly downloaded from the official website of this Court.
16. Certified copy of this order, if applied for, shall be made available to the parties.

[Amrita Sinha, J]

