

**19.03.
2026**

Ct. No. 24

Ab

**IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE.**

WPA 5420 of 2026

**Dr. Varun Viswanathan Pillai
Vs.
The State of West Bengal and others.**

**Mr. Rittick Chowdhury,
Ms. Aparupa Sanyamath.**

... for the petitioner.

**Mr. Vivekananda Bose,
Mr. Kushal Das.**

... for the State.

**Mr. Arka Kumar Nag,
Mr. S. Banerjee,
Ms. Debobeena Ghosh.**

... for the WBMCC.

**Mr. Sunit Kumar Roy.
... for the National Medical Commission.**

1. The affidavit of service filed today is taken on record.
2. The petitioner is an eligible and a successful candidate in the NEET-PG, 2025.
3. Mr. Chowdhury, learned Advocate appearing for the petitioner, submits that result was published on February 24, 2026. Upon getting such result, the petitioner had immediately arranged for a flight and had reached Kolkata on February 25, 2026 at about 4 p.m. However, he could not make it to the office of the concerned college by 5 p.m. being the closing time of such office. Thus, even being eligible and a successful candidate, the petitioner was unable to take admission.

4. Mr. Santra, learned Advocate appearing for the college authority, submits that the seat, which has been allotted to the petitioner after counseling, is still vacant.
5. The petitioner was a successful candidate in the physically challenged category and presently prays that the seat, which had been allotted to him and lying vacant, may be given to him as he is ready and willing to take necessary steps in the matter.
6. It also appears from the provisional allotment letter that a day or two is required by the concerned colleges to complete the admission formalities. The petitioner had approached the college on the very same day, i.e., February 24, 2026. It is unfortunate that the petitioner could not make it to the office of the college by 5 p.m. on that day.
7. As held in case of S. Krishna Sradha vs, State of AP, reported in 2020 (17) SCC 465, the factors to be looked into in this sort of cases are as under:
 - (i) no fault is attributable to the candidate;
 - (ii) the candidate has pursued her rights and legal remedies expeditiously and without delay;
 - (iii) where there is fault on the part of the authorities and apparent breach of rules and regulations; and
 - (iv) candidate is found to be more meritorious

than the last candidate who has been given admission.

8. In this case, the petitioner is not at fault and has pursued his rights and legal remedies expeditiously and without delay. It cannot be said that the authorities are at fault either and the candidate is meritorious.
9. Upon query from the Court, Mr. Nag, learned Advocate appearing for the respondent no. 3 and assisted by Ms. Ghosh, learned Advocate, have taken instructions and have expressed the willingness of their clients to permit the petitioner to take admission in the college, being the respondent no. 8.
10. In view of the afore-stated, the petitioner is directed to approach the college authorities by March 23, 2026 and the authorities will take necessary steps to ensure that admission of the petitioner is completed by March 27, 2026.
11. The respondent nos. 4 and 7 are directed to render all assistance and to cooperate with the authorities to ensure that the petitioner is admitted into the college as a student and the same would be regularized.
12. With the afore-stated directions, the writ petition is disposed of.
13. There shall, however, be no order as to costs.

14. Urgent Photostat certified copy of this order, if applied for, be given to the parties on priority basis.

(Reetobroto Kumar Mitra, J.)