

17.02.2023

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WPA 3369 of 2023

Behala College
Vs.
University of Calcutta & Ors.

Mr. Kishore Dutta, Sr. Advocate,
Ms. Sumita Shaw
Mr. Soumen Chatterjee
... For the petitioner.

Mr. Nilotpal Chatterjee
Mr. Sourabh Sengupta
Mr. Satyaki Banerjee
... For the University.

The petitioner is an aided college under the State and is affiliated to Calcutta University.

By a letter from the university dated March 11, 2019, the college was granted an “extension of affiliation” for Botany (Honours) course provisionally only for three years with effect from the academic session 2019-2020, inter alia, on the condition that three more full-time teachers in addition to the existing strength for Botany (Honours) be appointed for the session 2019-2020.

By the said letter the college was also requested not to admit any students until an affiliation letter is received by the college from the university.

It is submitted by the university that the college could not fulfil the said condition. Despite that failure,

the university allowed the students of Botany (Honours) of the college to appear in the examination by providing them with the registration numbers for the academic sessions of 2019-2020, 2020-2021, and 2021-2022.

This time, the university declined to grant registration numbers to the B. Sc. Botany (Honours) students of the said college for the academic session 2022-2023, as the college failed to comply with the condition contained in the letter dated March 11, 2019.

Mr. Kishore Dutta, learned Senior advocate submits that the college has taken all steps to fulfil the conditions as contained in the letter dated March 11, 2019 by recruiting three whole time visiting teachers. The selection process is complete and the panel has been sent to the State for approval. In fact, the university had a representative in the selection committee for the said recruitment.

The students are not at fault. Since the course was offered by a State aided college, they may have taken admission under the bona fide belief that the course had due affiliation from the university.

In view of the above, I direct the college to immediately send the necessary papers to the university to obtain registration and admit cards for the students of the college enrolled in the first semester of

B.Sc. Botany (Honours) course for the academic session 2022-2023.

As a special case, I direct the university to register the name of the students and issue admit cards for the 1st semester of B. Sc. Botany (Honours) for the academic session 2022-2023.

The college will also send all necessary papers to the university for affiliation within two months from date and the university shall consider granting affiliation in accordance with law. I make it clear that the college will be debarred from admitting any students to Botany (Honours) Course until it obtains the necessary affiliation from the university.

Accordingly, WPA 3369 of 2023 is disposed of.

There will be no order as to costs.

Urgent certified *website* copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Kausik Chanda, J.)