

23.12.2025
Item No. 609
Ct. No. 14
AN

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

**WPA 25457 of 2025
(CAN 1 of 2025)**

**Rishiraj Das
vs.
State of West Bengal & ors.**

Mr. Subhabrata Dutta,
Mr. Debashis Sarkar,
Mr. Mihir Saha,
Mr. Aranya Saha
... for the petitioner

Mr. Srijib Chakraborty,
Mr. Aditya Mondal,
Ms. Rupsa Sreemani
Mr. Debdut Banerjee
... for the applicant/
respondent no. 8

Mr. Sirsanya Bandopadhyay, ld. Sr. Adv.
Mr. Arka Kumar Nag,
Ms. Debaleena Ghosh
... for the WBMCC

Mr. Swapan Dutta, Ld. G.P,
Mr. Dipankar Dasgupta,
Mr. Abhishek Chakraborty
... for the State

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

Mr. D.N. Maiti,
Mr. A. Santra
...for the WBUHS

1. Mr. Srijib Chakraborty, learned advocate appearing for the applicant/respondent no. 8 submits that on the basis of the bond produced in Court, the writ petition

was disposed of on 12th November, 2025 directing respondent no.8 to admit the petitioner upon production of the original bond and compliance of all other formalities. However, the bond which was submitted by the petitioner subsequently was found to be forged upon scrutiny. An application being CAN 1 of 2025 was filed before the Court for recalling of the order dated 12th November, 2025 since the bond that was furnished was found be forged. The Court directed for initiation of criminal investigation which is undergoing. Pursuant to the order dated 20th November, 2025, provisional admission has been given to the petitioner which is subject to the veracity and format of the bond. Upon scrutiny, it is found that the bond which was supposed to be executed by both the guarantors bears the signature of one of the guarantors and as such it is not in proper form. Since the order of this Court directing for provisional admission has not been complied with in *stricto sensu*, such provisional admission granted to the petitioner needs to be cancelled forthwith.

2. Mr. Subhabrata Dutta, learned advocate appearing for the petitioner, on the contrary, submits that the order granting provisional admission has taken care of the consequences which can crop up due to such admission and it has categorically subjected such provisional admission to the final outcome of the

criminal proceedings and, furthermore, a condition has been imposed that in the event, the petitioner is found to be guilty has to compensate the college authority. The order of the Hon'ble Single Bench was assailed in appeal, however, the Hon'ble Division Bench did not interfere with order passed by the Hon'ble Single Bench. Similar submissions were advanced before the Hon'ble Division Bench as well as before the Coordinate Bench of this Court. However, both Courts have refused to cancel the provisional admission.

3. The Hon'ble Division Bench in its order dated 26th November, 2025 in MAT 2048 of 2025 held as follows:

“By the impugned order, the learned single Judge had directed the admission of the writ petitioner subject to final outcome of the criminal proceedings. Pursuant to such direction, the writ petitioner produced a fresh bond before the appellant and he was granted provisional admission. It thus appears that the order has been acted upon. Furthermore, the records would reveal that the writ petition has been made returnable tomorrow i.e., on 27th November, 2025 under the heading ‘To Be Mentioned’.

In the said conspectus, we are not inclined to interfere with the order impugned and accordingly, the appeal along with the connected application is dismissed.

It is, however, made clear that the dismissal of the appeal shall not prevent the appellant to advance the arguments before the learned single Judge on merits and on the issues urged before us.”

4. A report has been furnished by the State which is taken on record. It is found that the investigation is still going on.
5. It has been observed in the order dated 27th November, 2025 that the acceptability of the bond produced by

the petitioner to get such admission needs to be decided at the first instance before canceling such admission.

6. Due to paucity of time, hearing could not be concluded.
7. Accordingly, list the matter on **6th January, 2026** under the same heading for further consideration.

(Bivas Pattanayak, J.)