

20.11.2025
Item No.5, DL
Ct.17
A.J.

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

**WPA 25457 of 2025
CAN 1 of 2025**

Rishiraj Das

-Vs-

The State of West Bengal & Ors.

Mr. Aniruddha Chatterjee,
Mr. S.P. Dalapati,
Ms. Anindita Auddy Das,
Mr. Mihir Saha.

.....for the petitioner.

Mr. Swapan Kumar Datta, Ld. G.P.,
Mr. Dipankar Dasgupta,
Mr. Abhishek Chakraborty.

.....for the State.

Mr. Srijib Chakraborty,
Ms. Rupsa Sreemani,
Mr. Debdut Banerjee.

.....for the applicant/
Respondent no.8.

Mr. Sirsanya Bandyopadhyay,
Ld. Sr. Govt. Adv.,
Mr. Arka Kumar Nag,
Ms. Deboleena Ghosh.

.....for the WBMCC.

Mr. Sunit Kumar Roy.

.....for the N.M.C.

Mr. A. Santra.

.....for the respondent nos.5 & 6.

In Re: CAN 1 of 2025

The petitioner is a successful candidate of NEET UG 2025. In the 3rd round of counselling conducted by the West Bengal Medical Counselling Committee (WBMCC), the respondent no.3 herein, he was allotted with a seat at Sri Ramkrishna Institute of Medical Sciences and Sanaka Hospitals, Durgapur, the respondent no.8 herein.

The petitioner, alleging that the respondent no. 8 is insisting to furnish a bank guarantee as a condition for admission, had filed the connected writ petition.

In course of hearing of the said writ petition, a bond executed before the 1st Class Judicial Magistrate at Alipore, District 24 Parganas (South) on November 06, 2025 was produced before this Court.

The learned counsel for the respondent no. 8, on a cursory look to the said bond, had submitted that on production of it, the petitioner could be admitted.

This Court by the Order dated November 12, 2025 had disposed of the said writ petition by directing the respondent nos. 3 & 8 herein to complete the admission process upon production of the said bond and till such time, the seat allotted to the petitioner was blocked.

The respondent no. 8, by the present application is praying recalling of the said order dated November 12, 2025 alleging that the bond produced for admission is a forged document, in support of such allegation, the copy of the letter dated November 14, 2025 issued by the Head Clerk of the Chief Judicial Magistrate Court, Alipore is annexed with the application. In the said letter, it has been stated that the said document was not issued by the said Court.

In the backdrop of such facts and circumstances, this Court by the order dated November 17, 2025 had directed the respondent no. 8 to lodge a complaint with the concerned Police station over the issue.

Mr. Srijib Chakroborty, learned advocate for the respondent no. 8 submits that in compliance with the said direction, Alipore Police Station Case No. 148, dated November 20, 2025 under Sections 61(2)/338/ 336(2)/ 340(2)/ 318(2) of the Bharatiya Nyaya Sanhita, 2024 has been initiated against the petitioner and against some unknown persons.

Mr. Chakroborty, referring to different averments of the writ petition and the copy of the alleged forged bond, submits that the petitioner has direct involvement in the commission of the said forgery as such his conduct is unbecoming of a student, the petitioner therefore has lost his right to get the admission.

Mr. Aniruddha Chatterjee, learned Senior Advocate for the petitioner submits that the investigation is going on, the petitioner has not been found guilty, at this stage, if he is denied admission, his whole future would be ruined. He further submits that the seat has been allotted to the petitioner according to his merit ranking, he would not gain anything by producing a forged document, in fact he had no idea about the veracity of the said document.

Heard learned counsel for the parties, perused the materials-on-record.

Today is the last date of admission, the bond produced by the petitioner to get admission *prima facie* appears to be a forged document.

However the involvement of the petitioner in the act of such forgery is yet to be established, therefore it will be inequitable to deny his admission at this stage.

The respondent nos. 3 & 8 are directed to complete the provisional admission of the petitioner **subject to production of a fresh bond within the scheduled time today** and subject to *prima facie* satisfaction of the respondent no. 8 regarding the veracity and format of the said bond.

The admission of the petitioner is subject to the final outcome of the pending criminal proceeding. In the event the petitioner is found guilty in the said criminal case, his candidature/seat allotment shall be cancelled with immediate effect and in such event, the petitioner will liable to compensate the College as per the bond.

The petitioner, if fails to produce a fresh bond today within the stipulated time, the direction to block the seat allotted to the petitioner shall stand vacated and the respondent no. 3 shall be at liberty to put the said seat in the next round of counselling treating it as a vacant one.

The D.I.G., C.I.D., West Bengal is requested to take over the said Alipore Police Station Case No. 148, dated November 20, 2025 immediately. A progress report of the investigation be filed before this Court on the next date of hearing.

Matter be listed on **November 27, 2025** under the heading “**To Be Mentioned**”.

Parties to act on the server copy of this order downloaded from the official *website* of this Court.

Urgent Photostat certified copies of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Biswajit Basu, J.)