

January 17, 2025
AD 6
Ct. 17
SG

WPA 28895 of 2024

Arka Biswas
vs.
The State of West Bengal and others

Mr. Sayan Banerjee
Mr. Kiran Sk.
Ms. Suparna Dutta
... for the petitioner.

Mr. Swapan Kumar Datta
Mr. Tapas Kumar Dey
... for the State.

Mr. Avinash Kankani
... for the Bar Council of India

Mr. Nilotpal Chatterjee
Mr. Sourabh Sengupta
... for the Calcutta University

Mr. Debabrata Karan
Mr. Debojyoti Karan
Mr. Debopriyo Karan
... for the respondent No.3

Written instruction filed by the Bar Council of India
is taken on record and is kept in a sealed cover.

Learned counsel for the petitioner submits that the
Bar Council of India had not updated the registration of
the respondent Law College under the Calcutta University
in their website. This possibly prompted the Federation
Law Society of Canada not to allow the petitioner to sit in
an examination.

Learned counsel for the respondent College denies
the allegations and submits that after the Bar Council of

India pointed out certain irregularities/deficiencies, necessary steps were taken and the Bar Council of India was asked to do an inspection upon payment of Rs.1.5 lakh as inspection fees. Yet, the Bar Council of India did not undertake any inspection.

Learned counsel for the Bar Council of India denies the allegations and submits that subsequently, the inspection fees was increased to Rs.3.5 lakh. The College did not even pay the sums as required to be paid per semester. This has accrued to a substantial amount.

It is, indeed, very unfortunate that the Bar Council of India did not take steps to undertake necessary inspection in spite of receiving inspection fees from the respondent College in 2015. As the inspection fees on such date was Rs.1.5 lakh, the Bar Council of India ought to undertake necessary inspection of payment of such fees and cannot ask for payment of enhanced fees for inspection.

If it is found, upon inspection, that the deficiencies have been cured, then it shall be incumbent upon the Bar Council of India to regularise the affiliation of the Law College upon payment of necessary fees and other charges by the College in respect of the same.

First, let the Bar Council of India undertake an inspection of the respondent Law College within three weeks from this date and file a report in this regard in the form of affidavit within four weeks from this date. The report shall also indicate the exact sum that is payable by

the respondent College in lieu of charges, which might have fallen due in the meantime.

Exception, if any, be filed within a week thereafter.

List the matter for hearing under the same heading on February 26, 2025 at 2 pm.

(Jay Sengupta, J.)