

WPA (P) 241 of 2025
SAYAN BANERJEE
Vs.
State of West Bengal & Ors.

Mr. Sayan Banerjee, Adv. (in person) ... petitioner

Mr. Somnath Mukherjee... for South Calcutta Law College.

Mr. Kalyan Kumar Bandopadhyay, Sr. Adv.
Mr. Sirsanya Bandopadhyay, Sr. Standing Counsel
Mr. Arka Nag
Ms. Mahima Cholera
Mr. Debayan Sen
Mr. Debangshu Dinda
Ms. Sumita Shaw ... for the State

1. The issues raised in this writ petition overlaps with the WPA (P) 81 of 2025 with regard to the election of students union ancillary to the leave claimed in this writ petition .
2. The petitioner is a practising advocate of this Court. He has drawn our attention to an affidavit filed by the Senior Law Officer and ex-officio Assistant Secretary (Law Department of Higher Education), Government of West Bengal disclosing details of various Universities wherefrom it appears that in some of the Universities no elections had ever been taken place in the recent past and in few it is pending for long. There is no student council functioning at present in the Universities/colleges formed part of the affidavit.
3. In view of the said report, we direct the Department of Higher Education, Government of West Bengal to issue a directive to all the Universities and Colleges that in the event there is no recognized student body or council or no election had taken place in the recent past having regard to the incident

occurred recently in the students' union room in the respective Colleges and Universities shall be put under lock and key and no student shall only be permitted to enter or use the said students' union or students room except with the written permission of the Registrar of the Universities or any person competent to issue such permission.

4. The purpose for visit by the student to such room identified for the students' union should be disclosed in the letter. However, this shall not include the student recreational or common room. This order shall be restricted to the room/rooms identified and used as students union room.
5. Leave is given to implead the South Calcutta Law College and Surendranath Law College. Insofar as, the South Calcutta Law College is concerned the students union room should be accessible only by the Investigating Agency until further order. The Governing body of the South Calcutta Law College must ensure that the academic intent of the students of the college is not affected and regular functioning of the college resume at the earliest. Copy of the writ petition shall be served upon South Calcutta Law College and the Surrendranath Law College in course of this week.
6. Let this matter appear on **17.7.2025**.

(Soumen Sen, J.)

(Smita Das De, J)