

09.9.2020

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W. P. A. 7025 of 2019
I A No. CAN 1 of 2020

(Via Video Conference)

Jayatri Paul
Vs.
State of West Bengal & Ors.

Mr. Loknath Chatterjee
Mr. Sukanta Ghosh
... For petitioner.

Mr. Kunaljit Bhattacharya
... For Union of India.

Mr. U.S. Menon
... For respondent no. 10.

Mr. Chatterjee, learned advocate appears in support of the writ petition, at instance of a candidate for National Eligibility-cum-Entrance Test (Under Graduate) (NEET – UG), rescheduled to be held on 13th September, 2020. He refers to several documents disclosed in the petition to submit, there are standing instructions from the Central Administration for States not to impose lockdown, without due permission from it, save and except in containment areas. In context thereof, impugned memo dated 31st August, 2020 declaring lockdowns, inter alia, on 11th and 12th September, 2020 in West Bengal.

His client is a resident of North Dinajpur and has to undertake travel to take the Test on coming Sunday,

13th September, 2020. Immediately preceding two days have been declared under lockdown. He prays for setting aside and quashing impugned memo. Mr. Menon, learned advocate appears on behalf of National Testing Agency and wants to make submissions on the sequence of events that led to rescheduling of the Test on 13th September, 2020.

Though this writ petition was called on first thing in the morning, thereafter as a continuing matter at 2-00 p.m. and now, that is a little later, State goes unrepresented. Court is satisfied that State has information of the writ petition having had been listed today.

Court is not inclined to go into adjudication on merits of the case urged. Instead State is directed to provide decent accommodation of one room, to petitioner and her accompanying either parent, both of whom will travel on Thursday (10.9.2020), to reach Siliguri that day itself. The accommodation must be for them to be provided by State Government through Thursday (10.9.2020) till Monday (14.9.2020). State will inform particulars of accommodation, to be provided to petitioner's learned advocate by tomorrow.

With above directions, the writ petition and connected application are disposed of.

(Arindam Sinha, J.)