

08.09.2021.  
Item No. 125.  
Court No.13  
pk/akd

**W.P.A. No. 13553 of 2021  
(Through Video Conference)**

**Visva Bharati and another  
Versus  
State of West Bengal & Ors.**

Mr. Soumya Majumder,  
Mr. Jayanta Narayan Chatterjee,  
Mr. Victor Chatterjee.

...for the petitioners.

Mr. Bikash Ranjan Bhattacharya,  
Mr. Shamim Ahmed,  
Ms. Saloni Bhattacharya,  
Ms. G. Parveen,  
Mr. Arka Maiti

..for the added respondents.

Mr. Arunava Ghosh,  
Mr. Puspall Chakraborty,  
Ms. Prishanka Ganguly

... for the Intervenor

Mr. Kumar Jyoti Tewari

... for the respondent no. 2.

Mr. Amitesh Banerjee,  
Ms. Ipsita Banerjee

... for the State.

This Court has heard Mr. Bikash Ranjan Bhattacharya, learned Senior Advocate appearing for the three students, who are the added respondents. This Court has also heard Mr. Arunava Ghosh, learned Senior Advocate appearing for the professors, who wish to intervene in the matter.

Mr. Ghosh's clients may file suitable application for being added as party respondent to the instant

proceeding within a period of seven days from date. Prior service be made to all parties.

This Court has heard allegations of impropriety against the three students for which they have been rusticated. The allegations in substance are that they have broken the seal on the door of the chamber of a Professor at the Economics building. It appears that a special enquiry committee was constituted by the Vice Chancellor of the University to enquire into the allegations against the three students. The students were heard and a punishment of rustication was passed for a period of three years.

This Court is of the prima facie view that the punishment of rustication for a period of three years is excessive and disproportionate to the charge against the students. The said order of rustication shall be kept in abeyance. The students shall be allowed to participate in their academic activities. The professors and teachers of the University are equally aggrieved by the alleged high handedness of the Vice Chancellor of the University. The professors may institute appropriate proceedings challenging the orders of suspension in accordance with law.

A basic level of education and maturity is required for a student to take an informed decision before accepting or following any ideology. Exposure to

raw ideologies in the absence of such education would amount to indoctrination.

All demonstrations, mass-protests, *dharna*, strikes and/or agitation by the students or on their behalf inside or beyond the University Campus shall cease forthwith. All platforms structures constructed for the said purpose must be dismantled immediately.

The report submitted by the Officer-in-Charge, Santiniketan Police Station is taken on record. The report of the Registrar of the University is also taken on record.

Since the students and professors and other aggrieved persons have accepted the aforesaid order there is no need for any further orders on the Officer-in-Charge, Santiniketan Police Station.

It is expected that all appearing parties shall make a serious effort to assist this Court to amicably settle all pending disputes.

Let this matter stand adjourned and be listed on 15<sup>th</sup> September, 2021 at 11.30 a.m.

All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

**(Rajasekhar Mantha, J.)**