

**Circuit Bench of Calcutta High Court
at Jalpaiguri**

³⁸
sm **28.08.
2019**

W.P.A. 252 of 2019

**Suresh Barman
Versus
The State of West Bengal & Others**

Mr. Surajit Basu,
Mr. Ratan Chandra Roy.
.....for the petitioner.

Mr. Amalesh Roy,
Mr. Deborshi Dhar.
.....for the respondent no.6.

Mr. Subir Kumar Saha,
Mr. Bikramaditya Ghosh.
.....for the State.

Affidavit of service filed in court today be kept
with the record.

Despite service, only the respondent no.6, that
is, the Principal/Teacher-in-charge of the concerned
college is represented today along with the petitioner.
The primary grievance of the petitioner is that, despite
having been designated twice as president of the said
college, the charge is not being handed over to the
present petitioner as president.

It is submitted by learned counsel for the
respondent no.6 that two of the nominated members
of the governing body, being nominees no.2 and 4 as
reflected in annexure P-2 of page 22 of the instant writ
petition, have resigned and a third nominee cannot be
traced out. In such circumstances, it is submitted,
there the charge cannot be handed over, since there is

no statutorily competent governing body in existence at the moment.

In view of the peculiar circumstances of the case, W.P.A. 252 of 2019 is disposed of by directing the respondent no.2 to take immediate steps for fresh nominations for the formation of the governing body to the concerned college, being Bakshirhat Mahavidyalaya situated at Bakshirhat, District Coochbehar immediately, preferably within one month from the date of communication of this order to the respondent no.2, to facilitate the early handing over of charge to the newly nominated governing body for effective functioning of the college.

There will be no order as to costs.

Urgent photostat certified copy of this order, if applied for, shall be given to the parties upon compliance of usual formalities.

(Sabyasachi Bhattacharyya, J.)