

16.03.2021

ss

W.P.A. 2990 of 2021

Antara Roy

Vs.

The State of West Bengal & ors.

Mr. Atarup Banerjee

Mr. Mtiryunjoy Chatterjee

... for the Petitioner

Mr. Kishore Dutta, Ld. A.G.

Ms. Chaitali Bhattacharya

Mr. Mrinal kanti Ghosh

Mr. Suman Dey

... for the State

The petitioner herein is a teacher-in-charge of one of the schools that has been affected by an order passed by the State of West Bengal dated January 22, 2021. By virtue of this order, the Managing Committee of twentyeight schools in Howrah District have been replaced by the Assistant Inspector of Schools (S.E.), as the Administrator of the schools. This power has been exercised under Rule 25 of the Rules for Management of Sponsored Institutions (Secondary), 1972.

As per order passed earlier in this writ petition, the Government has filed a report in the form of an affidavit that gives a general background with regard to reasons for exercising of power under Rule 25.

Mr. Atarup Banerjee, learned Counsel appearing on behalf of the petitioner submits that his client is apprehensive with the allegation made in paragraph 4 of the report filed by the Government shall be levelled upon her and accordingly, adversely impact her career.

In my view, Rule 25 is an administrative order passed by the Government after seeking a report from District Inspector of Schools (S.E.) and the Commissioner of School Education. Unless specific allegations or malafide are made in the writ petition, in my view, no interference is warranted by this Court in such matter.

Accordingly, I see no reason to interfere with the impugned order dated January 22, 2021.

I make it clear that the report filed by the Government is a general report dealing with different kinds of complaints and malpractice that may be existing in the twentyeight schools. This report is not specific to either the school of the petitioner nor is there any specific allegation against the petitioner herself.

With the above observations, this writ petition is disposed of.

Since no affidavit-in-opposition is called for, allegations made in the writ petition are deemed not to have been admitted.

Urgent photostat certified copy of this order, if applied for, be given to the parties on usual undertaking.

(Shekhar B. Saraf, J.)