

09 08.09.2021  
rkd Ct.05

W.P.A. 5069 of 2021  
(Through Video Conference)

Soumitra Mandal  
-vs-  
The State of West Bengal & Ors.

Mr. Arnab Roy

....for the petitioner.

Mr. Malay Kumar Singh,  
Sk. Md. Masood

....for the State

The writ petitioner is an approved assistant teacher in Amta Pitamber High School (hereinafter referred to as the said school). The grievance of the writ petitioner is that though the petitioner is having the requisite qualification to take classes of XI and XII in the said school no classes are being presently allotted to him and the class routine has been prepared in such a fashion that no opportunity has been provided to the writ petitioner to impart lesson to the students of higher secondary section. While formulating the case Mr. Roy, learned advocate representing the petitioner draws attention to page 19 of the writ petition wherefrom it appears that the President of the Managing Committee of the said school by issuing notice informed to all concerned persons that the

writ petitioner will not be permitted to take classes in higher secondary section and the writ petitioner will also be exempted from examining the answer scripts of the students of higher secondary section. It is the contention of the writ petitioner that such issuance of notice dated 20<sup>th</sup> April, 2019 is bad and harassing and this notice ought not to have been issued by the said school authorities.

Under the Appeal Regulations framed under the relevant provisions of the West Bengal Board of Secondary Education Act, 1963 it has been specifically provided that if any teacher is aggrieved by any decision of the school authority the concerned teacher may prefer an appeal before the Appeal Committee of the Board. In view of such appeal provisions, liberty is granted to the writ petitioner to prefer appeal in terms of the said Appeal Regulations.

With the above observation, the writ petition stands disposed of.

There shall be no order as to costs.

Affidavit-of-service filed in Court is taken on record.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

**(Saugata Bhattacharyya, J.)**