

30-11-2021
ct no. 13
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WPA 18204 of 2021
Paritosh Kumar Das
Versus
The State of West Bengal & Ors.

(Via Video Conference)

Mr. Atarup Banerjee,
Mr. Amal Krishna Samanta,
Ms. Saswati Adhikary,
Mr. S. Jana
...for the petitioner

Sk. Md. Galib,
Ms. Sujata Ghosh
...for the State

Mr. Uttam Kr. Bhattacharyya
...for the respondent no.10

The matter has been taken up since extreme urgency is cited.

The petitioner claims to be the Secretary of the Dr. Rammanohar Lohia Adarsha Siksha Niketan at Chakpratappur under Ramnagar P.S. It is claimed that the private respondent, who is a club, NGO/Library (Pathagar) owned the land and the school. A lease deed is stated to have been entered into between the private respondents and the school authority for running the educational institution. There is some doubt as to who is in actual management of the school.

Be that as it may, there are serious disputes and differences between the petitioner and the private respondents. The said discord has also

resulted in a physical altercation. The police intervened and at the instance of the local Magistrate under Section 156 of the Cr. P.C., FIR was registered. Out of five accused persons, two were arrested and enlarged on bail.

There are doubts as to whether there are any students in the school. The petitioner, however, states that the registration process of students for Madhyamik is being hampered by the private respondents.

This Court notes with dismay the conduct of the parties in using the educational institution as a scapegoat to unleash a personal vendetta against one another.

The Officer-in-Charge, Ramnagar Police Station has filed a report in the form of instruction addressed to the learned Government Pleader dated November 28, 2021. The same is taken on record.

This Court is of the view that in the interest of justice and the cause of education, the District Inspector of Schools (SE), Purba Medinipur, being respondent no. 9, should conduct an enquiry into affairs of the School, its functioning, management strength etc. Suitable recommendations may be submitted to the West Bengal Board of Secondary Education in this regard. The West Bengal Board of Secondary Education shall be entitled to take

steps to rectify the existing improprieties in the running of the school and, if necessary, also appoint an Administrator at their discretion.

Since the police appear to have taken all steps, this Court does not find any inaction on their part.

The Officer-in-Charge, Ramnagar Police Station shall, however, continue to maintain a vigil over the said school and ensure that there is no breach of peace in that area.

The District Inspector of Schools (SE), Purba Medinipur, respondent no. 9 shall submit recommendations, as above within a period of two months from the date of communication of a copy of this order.

With the aforesaid observations, the writ petition is disposed of.

There shall be no order as to costs.

Urgent photostat certified copy of this judgment, if applied for, be given to the parties upon compliance of all formalities.

(Rajasekhar Mantha, J.)