

S/L 8
29.01.2021
Court No.26
SD

WPA 10873 of 2020
(Assigned)
(Via Video Conference)

Susanta Mandal
Vs.
State of West Bengal & Ors.

Mr. Sankar Prashad Dalapati
Mr. Satyajit Mahata

...for the Petitioner.

Mr. Biswabrata Basu Mallick
Mr. Sanjib Das

...for the State.

Mr. Sarajit Sen
Mr. Tapas Singha Roy

...for the Respondent No.5.

This is an application under Article 226 of the Constitution of India wherein the writ petitioner is aggrieved by the inaction on the part of the school authorities in granting admission to the petitioner's daughter.

It is to be noted that the elder sister of the petitioner's daughter is also studying in the same school in Class-X and is going to sit for Madhyamik examination this year.

In my view, the fact that the elder sister of the petitioner's daughter is studying in the same school should be taken into consideration by the school authorities in considering the admission of the petitioner's younger daughter.

Accordingly, I direct the school authorities to admit the petitioner's younger daughter in Class-V keeping in mind

the fact that the petitioner's elder daughter is an incumbent student in the same school.

I make it clear that this order has been passed considering the peculiar set of facts and circumstances of the case and the same shall not act as a precedent in other cases.

With these observations, WPA 10873 of 2020 is disposed of.

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

There will be no order as to costs.

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

(Shekhar B. Saraf, J.)