

30. 08. 2022

BP
Sl. 9
Court No. 17

WPA 32 of 2022

St. Gabriel (Aided) Primary School
Vs.
The State of West Bengal & Ors.

Mr. Kamalesh Bhattacharya
Mr. Aninda Bhattacharya
..for the petitioner

Mr. B.P. Vaisya
Mr. Mrinal Kanti Ghosh
..for the State

Md. Sarwar Jahan
Mr. Gourav Das
..for the Council.

The grievance of the writ petitioner is that they have sent names of teachers for approval to the concerned District Inspector of Schools (Primary Education) but it has been refused.

Mr. Kamalesh Bhattacharya, learned advocate for the petitioner has referred to some other case of Duff Primary School for Girls and another vs. State of West Bengal & Ors. (page 72 of the writ application), which is a reasoned order by the Principal Secretary of School Education Department. This order is dated 30.07.2021. He submits that this was an order favourable to the institution. In this matter also the order in the same line could be passed.

Therefore, before adjudicating this matter I sent this matter to the Principal Secretary, School Education Department, Government of West Bengal to decide the matter after giving an opportunity of hearing to the petitioner through their learned advocates and other connected party respondents and the decision is to be taken considering the reasoned order passed by the Principal Secretary on 30.07.2021. Such hearing is to be given within a period of four weeks from the date of communication of this order and to pass a reasoned order by two weeks and to communicate the same to the parties immediately thereafter.

The matter is not disposed of. If the petitioner is dissatisfied with the order to be passed by the Principal Secretary, they may approach this court without filing a fresh writ application.

As of now the matter goes out of list. This matter will appear in the list after the puja vacation.

(Abhijit Gangopadhyay, J.)

