

29.08.2022.
Court No.13
Item No. 20
ap

W.P.A. No. 6538 of 2021

**Debalina Das
Versus
The State of West Bengal & Ors.**

Mr. Partha Sarathi Bhattacharyya, Sr. Advocate,
Mr. Tapas Kumar Ghosh,
Mr. Tanmay Chowdhury,
Mr. Narayan Debnath.

...For the petitioner.

Mr. Supriyo Chattopadhyay,
Mr. Sabyasachi Mondal.

..For the State.

Mr. Manjit Singh,
Mr. Biswajit Mal,
Mr. Gaganjit Singh.

...For the respondent nos.6 to 9.

The writ petitioner is aggrieved that she is not being allowed to sign on the attendance register of Elite Co-education Higher Secondary School, Bikram Nagar, District - Hooghly.

The petitioner claims to have been lawfully appointed in the said School. The petitioner appears to have been appointed on a temporary basis.

It appears from the records that the petitioner was appointed by the School itself. The District Inspector of Schools (SE), Hooghly or the School Service Commission or the West Bengal Board of Secondary Education had no role to play in the appointment of the petitioner.

Counsel for the petitioner, Mr. Partha Sarathi

Bhattacharyya, would argue that since the School Service Commission is recognised by West Bengal Board of Secondary Education, his client is entitled to maintain a writ petition in respect of her service of the said School.

This Court is unable to accept such submission of Mr. Bhattacharyya. There is no public element whatsoever in the grievance of the petitioner. The issue is a purely private matter between the school and the petitioner.

The petitioner, therefore, cannot have any cause of action to maintain the writ petition before this Court against a private institution.

In view of the above, the instant writ petition must fail and is hereby dismissed.

There will be no order as to costs.

All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)