

March 22, 2022
Sl. No.23
Court No.1
SG/s.biswas

WPA (P) 181 of 2021

Ghulam Mohammad
vs.
The State of West Bengal and others

Mr. Apzal Ansari,
Ms. Afreen Begum, Advocates

... for the petitioner

Mr. Swapan Banerjee,
Mr. Sougata Mitra, Advocates

... for the State

Mr. Syed E. Huda, Advocate

... for the respondent No.7

Affidavit-in-opposition filed on behalf of the
respondent No.2 is taken on record.

In this public interest petition the petitioner who is a
teacher working in Iqra Model Academy SSK, a State
aided educational institution, has challenged the
appointment of respondent No.7 as teacher on the ground
that the said respondent has suppressed the material fact
about the criminal antecedents. In the petition some
doubt has also been expressed about the D.El.Ed Degree
of the said respondent.

On perusal of the petition, we find that it is purely a
service dispute which is sought to be raised by way of
public interest litigation, which is not permissible in view
of the judgment of the Supreme Court in the matter of
Madan Lal versus High Court of Jammu and Kashmir and
others reported in 2014 (15) SCC 308.

Hence, no ground is made out to entertain the
petition which is accordingly dismissed.

However, the dismissal of the petition will not close the other remedies which may be available to the petitioner in accordance with law.

[Prakash Shrivastava, C.J.]

[Rajarshi Bharadwaj, J.]