

June 20, 2022
Item No. 5
Court No. 1
(PA – RB)

WPA (P) 268 of 2022
JIV Maitri Trust.
Vs.
State of West Bengal & Ors.

Mr. Vinay Kr. Shraff.
Ms. Priya Sarah Paul,
Mr. Kaushal Agarwal, Advocates
...for the petitioner

Mr. Samrat Sen,
Mr. Amitesh Banerjee,
Mr. Nilotpall Chatterjee,
Mr. Avishek Prasad, Advocates
... for the State

Ms. Priyanka Tibrewal, Advocate
... for the Union of India

By this public interest petition, the petitioner has challenged memo dated 13th of June, 2022 issued by the School Education Department of Government of West Bengal extending the summer vacation in the schools till 26th of June, 2022 or until further inspection, whichever is earlier, except for the schools in the hilly areas of Darjeeling and Kalimpong districts. The order states that the above directions were issued considering the safety and security of the students in mind.

The preliminary objection in respect of locus of the petitioner has been raised.

Having examined the petition, we find that the petitioner is a trust at Mumbai which has filed the petition through its authorized representative. Nothing

has been disclosed in the petition as to how the petitioner or his representative is connected with the State of West Bengal. The credentials of the petitioner have also not been disclosed. Hence, this writ petition, at the instance of such a petitioner, cannot be entertained.

That apart, it is also noticed that another writ petition being WPA (P) 200 of 2022, on the same issue, is already pending before this Court. Hence, we are of the opinion that repeated petitions on the same issue, especially when the locus of the petitioner in subsequent petition is in dispute, will serve no purpose.

Hence, for the reasons mentioned above, the writ petition is dismissed.

[Prakash Shrivastava, C.J.]

[Rajarshi Bharadwaj, J.]