

26.07.2022
Sl.No.172(ML)
sn

W.P.A. No. 12781 of 2022

**Nimabalia Reajul Jannatul Banat, represented through its
Secretary, Md. Jamshed Khan @ Jamshed Khan
Versus**

The State of West Bengal & Ors.

Mr. Suvro Prokash Lahiri

Mr. Sk. Nizamuddin

Ms. Barnali Gupta

... for the Petitioner.

Mr. Sanjib Seth

.. for the Respondent Nos.7&9

Despite service, none appears on behalf of the respondent nos. 5,6,8,10 & 11. Let the affidavit-of-service be taken on record.

The petitioner is the Secretary of Nimabalia Reajul Jannatul Banat (hereinafter referred to as the said “institute”). It is alleged that the respondent nos. 5 to 11 have been continuously disrupting the smooth functioning of the said institute. The allegation is that at the instance of the respondent nos. 7&9, some persons of the locality had affixed the padlock in the said institute. It is the specific contention of the Secretary of the institute that the institution apart from imparting education to the local children, was also engaged in various social activities.

According to the petitioner, such activities were being disrupted due to continuous threat and disturbances by the respondent nos. 5 to 11.

Mr. Seth, learned advocate appears on behalf of the respondent nos. 7&9. According to Mr. Seth, certain activities of some of the teachers within the institution, which were not related to the teaching and social activities, were being carried on. Such immoral activities within the premises enraged the local persons and they protested. It is specifically submitted that the institute could not be used for fun- fair and other activities. However, Mr. Seth submits that the institute is at present functioning and no padlock had been affixed therein.

It is made clear that the said institute will run for the benefit of the students and other social activities. The petitioner, who claims to be the secretary, shall ensure the same.

The police authorities shall keep strict vigil in order to ensure that the institute is not used for any other activities, apart from imparting education and social work.

If the respondents have any complaint against any particular teacher or group of teachers, they are at liberty to approach the appropriate authorities, in accordance

with law, but they cannot take the law in their own hands and lock the said institute.

The petitioner and the respondent authorities are directed to communicate this order, to the local police station.

The writ petition is, thus, disposed of.

There will be no order as to costs.

All parties are to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)