

WPA (P) 346 of 2022

**Bikash Ranjan Maiti & Ors.
Vs.
The State of West Bengal & Ors.**

Mr. Saibal Acharya
Mr. Sudip Sarkar
Mr. Aninda Bhattacharya
Mr. K.P. Santra

... ... for the petitioners

Mr. Samrat Sen, AAAG
Mr. Nilotpal Chatterjee
Ms. Manali Ali

... ... for the State

Mr. Anindya Sundar Das
Ms. Debopriya Samanta
Mr. Shaunak Ghosh

... ... for the respondent no.9

Affidavit of service filed by the petitioners is taken on record.

The allegation in this public interest petition is that the respondent no.9 who was earlier working as headmaster in the school namely, Joy Krishnapur Nehru Vidyabhavan (H.S.) situated at P.O. – Junbalda, P.S. – Keshiary, District – Paschim Medinipur had committed serious irregularities and defalcation, therefore the enquiry was conducted by a committee which in the report dated 26th November, 2021 had found the allegations to be correct and the said report was submitted to the respondent no.6, District Inspector of Schools, Secondary Education, Paschim Medinipur but the respondent no.6 is sitting tight over the report. It has been pointed to this Court that the respondent no. 2, Commissioner of School Education, Government of West

Bengal is the proper authority which can look into the entire issue.

Hence, we dispose of the present petition granting liberty to the petitioners to file an appropriate representation along with the enquiry report dated 26th November, 2021 before the respondent no.2, who on receipt of the same will give due opportunity of hearing to the concerned parties and will take appropriate action in accordance with law as expeditiously as possible, preferably within a period of two months from the date of receipt of the representation.

We make it clear that mere transfer of the respondent no.9 in the meanwhile will not absolve him of the liability, if any irregularity was committed by him during the period he was posted in the concerned school.

The writ petition is accordingly disposed of.

(Prakash Shrivastava, C.J.)

(Rajarshi Bharadwaj, J.)