

Court No. 24
11.04.2022
(Item No. 3)
(AB)

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
Appellate Side

W.P.A. 18269 of 2018

Nilmani Banerjee & Anr.
VS
The State of West Bengal & Ors.

Mr. Sourav Prasanna Mukherjee
... for the petitioners
Mr. Samiran Mondal
Mr. Abhinaba Dan
..... For respondent Nos. 5 & 6
Ms. Chaitali Bhattacharyya
Mr. Kartick Chandra Kapas
.... For the State

The matter relates to Lodna Mankhamar
Vivekananda Vidyamandir, Bankura.

It appears from the submissions made on behalf of the parties that the election of the Managing Committee of the school was last held in the year 2015. Thereafter the term of the Managing Committee stood extended by virtue of the General Order passed by the Joint Secretary, School Education Department, Secondary Branch vide No. 1077-SE/S/5C-19/17 dated 30th November, 2017. The school does not have an elected Managing Committee as on date.

There is a report filed by the Commissioner of School Education dated 21st February, 2022.

On perusal of the same it appears that there are several illegalities/irregularities and malpractices going on in the said school.

I am of the opinion that the Managing Committee ought to be elected immediately in the interest of the students of the said school. On account of the illegal activities of the members of the Managing Committee, the education of the children of the school is being greatly hampered.

In view of the above, I direct the District Inspector of Schools (Secondary Education), Bankura to take prompt necessary steps for election of the Managing Committee of the School, strictly in accordance with law, at the earliest, but positively within a period of six months from the date of communication of this order.

Till the time a Managing Committee is duly elected, the District Inspector of Schools (Secondary Education), Bankura shall appoint an administrator to manage the day to day affairs of the school and to ensure that the studies of the students of the school is not hampered in any manner whatsoever. The District Inspector of Schools shall keep strict vigil over the activities of the school.

The District Inspector of Schools is directed to file a report by way of an affidavit before the learned Registrar General of this Court after completion of election and reconstitution of the Managing Committee. The report by way of affidavit shall be tagged with the present file.

The District Inspector of Schools is also directed to take appropriate steps in accordance with law, against any and all persons responsible for any illegal activities and malpractice committed in the School.

The writ petition stands disposed of.

Urgent certified photo copy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)