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04.04.
2022
Ct. No.17

WPA 21161 of 2021

Chandra Shekhar Biswas
Vs.
The State of W. B. & Ors.

Mr. Anjan Bhattacharya
Ms. Anita Shaw
.....**For the Petitioner**
Mr. Swapan Kr. Dutta
Mr. Pradyot Kr. Das
.....**For the State**
Mr. Prahlad Chandra Ghosh
Mr. Subir Hazra
Mr. Saibal Acharyya
.....**For the Headmaster**
Dr. S. K. Patra
Ms. Supriya Dubey
.....**For the SSC**

One assistant teacher has filed this writ application praying that the Headmaster, being Respondent No.5, is to furnish the copy of his Master Degree certificate before this court. He has also stated that an enquiry to be initiated in respect of the allegations of the petitioner as to fake certificate of the Respondent No.5.

The petitioner has questioned the genuineness of the M. A. certificate and he has submitted that he has filed this writ application challenging the correctness of the certificate of the Respondent No.5.

I do not find any locus of the petitioner, despite reply given by the petitioner as the assistant teacher

of the school that the Headmaster is the leader of the team of teachers and non-teaching staff and he should know whether on the basis of a fake certificate the Headmaster is working in the school as a Headmaster.

I am of the view that it is not a question to be raised by an individual teacher like the petitioner. The question could be raised by the authorities if they found at the time of the appointment or thereafter that there was a question of the genuineness of the M. A. certificate, which has not been done.

The petitioner has also not stated that if the present Headmaster being the Respondent No.5 is removed from his post, he could be a contender for the post of Headmaster in the school. This cannot be done also because now Headmasters are appointed by the West Bengal Central School Service Commission and not directly from the assistant teachers of a school.

I directed the petitioner to produce the certificate, mark sheet and registration number of the Respondent No.5 which I have seen.

I am of the opinion that the petitioner has no locus to file such an application.

In such circumstances after hearing the parties I find that there is no merit in the writ application and the writ application is dismissed with a cost of

Rs.100/- to be paid to the Respondent No.5 by the petitioner within a period of two weeks from date.

(Abhijit Gangopadhyay, J.)