

18.11.2022.
Court No.13
Item No. 34
pk

RVW 197 of 2022
CAN 1 of 2022

Sri Mahadeb Bhandary and others
Versus
West Bengal Board of Secondary Education & Ors.

Mr. Kamalesh Bhattacharya,
Mr. Ashim Kumar Halder,
Mr. Anirban Sha

...For the petitioners.

Mr. Sirsanya Bandopadhyay,
Mrs. Tapati Samanta

... for the State.

Mr. Santanu Kumar Mitra

... for the WBBSE.

Review is sought of the order dated 16.08.2022
passed in WPA 14931 of 2017.

By the said order, the decision of the
Commissioner of School Education refusing financial
aid to the said school has not been interfered with.

It is submitted by Mr. Kamalesh Bhattacharya,
learned advocate for the petitioners that the decision of
the Commissioner of School Education was based on a
report of the D. I. of Schools. The said report is
annexed to CAN 1 of 2022 in aid of the review
application. The report was filed by the concerned D.I.,
of an inspection allegedly conducted on 26th May,
2016.

It is submitted that since the said day was a
holiday, the D. I. could not conduct any inspection on
that day. It is, therefore, submitted by Mr.

Bhattacharya, learned counsel for the petitioners that the order dated 16.08.2022 must be reviewed as having been obtained by fraud and/or suppression of material facts.

This Court notices that the report of the D. I. does not indicate that inspection was conducted on the said date i.e. 26th May, 2016. It appears to this Court that only enquiries were made on that day.

This Court, therefor, does not find any fraud having been committed by any party. This Court also notices that in the said order dated 16.08.2022, liberty was reserved to the petitioner to renew the prayer for financial assistance in changed circumstances.

In view of the above, the review petition and connected application are rejected.

All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)