

WPA(P) 610 of 2022
Ditaya Kaur
Vs.
The State of West Bengal & Ors.

Mr. Kaustav Chandra Das
Ms. Aditi Dutta

... .. for the petitioner

Mr. Jahar Lal De
Mr. Ganga Prasad Mukherjee

... .. for the State

In this public interest petition the petitioner claiming himself to be alumni of Surendra Chakravorty Institute has raised the plea that the institute is a government aided school running on the lease property and that the Institute has been evicted from the premises and there are only 20 students left in the school. In the petition the prayers is to issue a mandamus commanding the respondents to reinstate the Institute in the same building on the fresh lease.

Though it has been admitted that the eviction is in pursuance to the some orders/decreed passed in the civil suit, even the details thereof have not been disclosed.

Having regard to the nature of controversy which has been raised, we are of the opinion that the interference of this Court in such a PIL is not warranted. The petition appears to be raising the cause of the private school/institute that too against the action of eviction. If any such illegal action has been taken against the Institution then the management or person responsible for running the school has the remedy to approach the appropriate forum.

Thus, for such a dispute no mandamus, as prayed, in the public interest petition need to be issued. Hence, the petition is dismissed, however, with liberty to the petitioner to approach the appropriate forum in accordance with law.

(Prakash Shrivastava, C.J.)

(Rajarshi Bharadwaj, J.)