

02.03.2022
Court No.13
Item No.14
AP

WPA 8631 of 2020

**Bara Andulia High School (Higher Secondary)
Vs.
State of West Bengal and Ors.**

(Through Video Conference)

Mr. Supratim Laha
Mr. Nemai Saha
Mr. Sk. Kiran

... For the Petitioner.

Mr. Supriyo Chattopadhyay
Mr. Suman Dey

... For the State.

Mr. Prabir Majumder
Mr. Sudip Sarkar
Mr. Snehansu Majumder

... For the Respondent Nos.7 & 8.

The petitioner complains that unlawful assembly occurs at regular basis in front of the school. It is alleged that the private respondents are unlawfully occupying two shop rooms out of twelve constructed by the school itself. The private respondents, according to the petitioner, are instigating persons to unlawfully assemble in front of the school gate to intimidate Managing Committee of the school.

It is also submitted that the private respondent No.9, who is the president of the Managing Committee, has illegally transferred two shop rooms to the respondent Nos.7 and 8 and the genesis of the dispute lies thereat.

Counsel for the respondent Nos.7 and 8 appears and submits that there is no unlawful occupation of the said room.

This Court cannot enter into the private disputes between the petitioner and the respondent Nos.7 and 8 and the same are to be adjudicated before an appropriate civil forum.

This Court notices that the school, which is privately managed, is sponsored by the State. Since it appears that prima facie there are certain disputes in the management of the school, the West Bengal Council of Higher Secondary Education may take appropriate steps in this regard. A copy of this order shall be communicated to the Secretary, West Bengal Council of Higher Secondary Education by the private respondents as well as by the State.

In the meantime, however, the Officer-in-Charge, Chapra Police Station shall ensure that there is no breach of peace in front of the school and free ingress and egress of the students and management is maintained.

It shall also be ensured that the surroundings of the school are peaceful and the students are not in any way disturbed.

The report in the form of instruction to State Counsel of the Officer-in-Charge, Chapra Police Station dated 5th January 2021 is taken on record.

With the aforesaid observations, the writ petition is disposed of.

There shall be no order as to costs.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)