

09.11.2022

Sl no. 43

Ct no. 2

PB

**Calcutta High Court
In the Circuit Bench at Jalpaiguri
Appellate Side**

WPA 2643 of 2022

**Manoj Kumar Barman @
Manoj Kr. Barman
-Vs-
The State of West Bengal & Ors.**

Mr. Ratan Chandra Roy,

... for the petitioner

Mr. Bikramaditya Ghosh,
Mr. Hirak Barman,

... for the State

Heard learned advocates appearing for the
respective parties.

This is the second round of writ petition, it
appears from record that petitioner has earlier moved
a writ petition being WPA 635 of 2022 which was
disposed of by another Co-ordinate Bench of this
Court by the order dated 11th March, 2022 by which
the Director of Public Instruction (DPI) directed to
take a decision with regard to the prayer of the
petitioner for grant of benefit in terms of the
memorandum in question strictly in accordance with

law and with the memo in question within a period of eight weeks from the date of communication of this order, it appears from record that in compliance of the earlier order of this Court, order was passed dated 22nd July, 2022 as appears at Page – 93 being Annexure –P-21 to the writ petition.

It appears from the aforesaid order passed by the Director of Public Instruction that he has passed a detailed order and I have perused the same. This court in exercise of constitutional writ jurisdiction under Article 226 of the Constitution of India cannot act as an appellate authority and substitute its own finding with the findings of an authority and take a different view and differ with the reasoning given by the authority which is supported by sufficient reason.

In view of the discussion made above this writ petition being WPA 2643 of 2022 is dismissed.

(Md. Nizamuddin, J.)