

229 04.04.2023
RP Ct. No. 01
AN

WPA 3489 of 2020

Giridhari Santra & Ors.
Vs.
State of West Bengal & Ors.

Mr. Tarun Kumar Das
Mr. Arko Bhattacharya
Ms. R. Dey

.... For Petitioner

Mr. Anirban Ray, Ld. GP
Mr. T.M. Siddiqui
Mr. Debasish Ghosh
Mr. Nilotpal Chatterjee

... For State

1. By filing this public interest litigation the petitioner states that the 8th respondent should not have been appointed as President of the Managing Committee of Nedhua Krishna Balaram Vidyamandir (H.S.) vide memo dated 30.05.2019 on the ground that he is an accused in a case registered by Sabang Police Station, Paschim Medinipur, being Sabang Police Station FIR No.407 of 2018 dated 08.10.2018, in which charge sheet has been filed on 30.11.2018 under Sections 341/323/343/506/34 of the Indian Penal Code, 1860.

2. The learned advocate for the petitioner has drawn our attention to the charge sheet wherein the eighth respondent in this writ petition is the fifth accused. With this fact the petitioner has submitted a representation to the first respondent as well as to the respondent no.1, 2 and 4 on 10th February, 2020 and the said representation is still kept pending and has not been considered. With the aforementioned grievance the petitioner has filed this writ petition.

3. If the petitioner has brought out certain information touching upon the credential of the President of the Managing Committee of the school then the authority is bound to look into the same and examine as to the correctness of the grievance expressed in the representation. It is not known as to how the first respondent, the Secretary of the School Education Department, has till date not considered the representation.

4. In the light of the above, there will be a direction on the first respondent to consider the representation given by the petitioner dated 10th February, 2020, issue notice to the eighth respondent and after hearing the petitioner, 8th respondent or any other party or their authorized representatives pass an appropriate order on merits and in accordance with law. The petitioner is directed to forward a copy of the representation along with a copy of this order to the first respondent for compliance of the above direction. The above direction shall be complied with within a period of three weeks from the date on which the petitioner forwards a copy of the representation dated 10th February, 2020.

5. With the aforesaid direction, this writ petition stands **disposed of**.

(T. S. Sivagnanam)
Acting Chief Justice

(Hiranmay Bhattacharyya, J.)

