

05 14.12.2023

Ct-08

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MAT 412 of 2023

with

I.A No. CAN 1 of 2023

Sandhya Mura

Vs.

The State of West Bengal & Ors.

Mr. Ekramul Bari

Syed Mansur Ali

... For the Appellant

Mr. Jyoti Prokash Chatterjee

Mr. Debottam Das

... For the School Authority

1. The only ground on which we are dismissing the appeal is that the dispute does not involve any public law element. However, this order shall not prevent the appellant to initiate appropriate proceeding in accordance with law.

2. It is made clear that neither the observation of the learned Single Judge nor by us in this order shall influence any future proceeding if initiated by the appellant in accordance with law with regard to his eviction from the premises of the school. We make it clear that we have not gone into the merits of the dispute.

3. In view of the above, the appeal being MAT 412 of 2023 stands dismissed.

4. In view of dismissal of the appeal, nothing remains to be decided in the application for stay being CAN 1 of 2023 and the same is accordingly dismissed.

5. However, there shall be no order as to costs.

6. Urgent Photostat certified copy of this order, if applied for, be given to the parties on usual undertaking.

(Uday Kumar,J.)

(Soumen Sen, J.)