

19.07.2023
SL No.65
Court No.8
(GD/SB)

MAT 771 of 2022
with
CAN 1 of 2022
CAN 2 of 2022

Ajoy Kumar Yadav
Vs.
Sunita Sharma

Mr. Upendra Roy
Mr. Sunny Nandy
Mr. Kanchan Roy

.....for the appellant

Mr. Bhaskar Prasad Vaisya

Mr. Suman Dey

...for the State

Mr. Ranajit Chatterjee

Mr. Aniruddha Mitra

.....for the Pvt. respondent

Ms. Koyeli Bhattacharyya

.... For the WBBSE

The affidavits filed by the parties are taken
on record.

We have heard the learned counsel for the parties. It appears that in deciding the writ petition, the learned Single Judge could not have directed removal of the appellant from the post of Headmaster of the School in question and restraining him from dealing with the papers and documents that are required to be dealt with by the Headmaster of the School. The direction with regard to preventing him from entering his chamber in our view ought not to have been passed. In such circumstances, we set aside the impugned order to the aforesaid extent. We reiterate that if any

disciplinary proceeding is initiated by the Board independent of the order under appeal, the order passed in this appeal shall not stand in the way.

With the aforesaid discussion, the appeal is allowed.

The application is accordingly disposed of.

However, there shall be no order as to costs.

(Uday Kumar, J.)

(Soumen Sen, J.)