

**25.09.2023**  
(S/L-04-07)  
Ct.-18  
(Sandip)

W.P.A. 12334 of 2023

Krishna Pada Joddar  
-Vs-  
The State of West Bengal & Ors.

With  
W.P.A. 10590 of 2023

Krishna Pada Joddar  
-Vs-  
The State of West Bengal & Ors.

With  
W.P.A. 11610 of 2023

Subrata Mandal  
-Vs-  
The State of West Bengal & Ors.

With  
W.P.A. 18270 of 2023

Sandip Kumar Saha & Ors.  
-Vs-  
The State of West Bengal & Ors.

Mr. Subir Sanyal,  
Mr. Subhrangsu Panda,  
Ms. Ina Bhattacharyya  
.... For the Petitioner in W.P.A. 12334  
of 2023 & W.P.A. 10590 of 2023.

Mr. Subhrangsu Panda,  
Ms. Ina Bhattacharyya,  
Ms. Mithu Singha Mahapatra  
... For the added respondents in WPA  
11610 of 2023.

Mr. Srijib Chakraborty,  
Mr. Sumitava Chakraborty  
....For the petitioners in  
W.P.A. 18270 of 2023.

Mr. Sakti Pada Jana,  
Mr. Subhajyoti Das  
....For the petitioner in W.P.A. 11610 of 2023.

Mr. Bhaskar Prasad Vaisya, AGP,  
Mr. Arindam Chattopadhyay,  
.... For the State in W.P.A. 12334 of 2023.

Mr. Shamim ul Bari,

Mr. Parikhith Rakshit  
.... For the State in W.P.A. 11610 of 2023.

Mr. Biswabrata Basu Mallick, AGP.  
Ms. Mrinalini Majumder,  
...For the State in WPA 18270 of 2023.

Mr. K.M. Hossain .... For the Managing  
Committee in all the matters.

Md. Sarwar Jaqhan,  
Mr. Sayantan Hazra,  
Mr. S. N. Thander ... For the respondent no.  
10 in WPA 12334 of 2023.

**Re : WPA 12334 of 2023, WPA 10590 of 2023 &  
WPA 18270 of 2023**

Supplementary affidavit to the writ petition being WPA 12334 of 2023 filed on behalf of the petitioner be kept with the record.

Sri. Subrata Mandal, the petitioner in W.P.A 11610 of 2023 is the retired Headmaster of the Nandabhanga High School, Bishnupur, District – South 24 Parganas, he handed over the charge of Headmaster to Sri. Krishna Pada Joddar, the senior most Assistant Teacher of the school.

The Managing Committee of the school had appointed Sri. Lalmohan Das, another Assistant Teacher as the Teacher-in-charge of the said school. The said appointment was objected to by Sri. Joddar and other teachers on the ground that Sri. Das does not possess the requisite qualification.

On the intervention of the District-Inspector of Schools (S.E.) District. 24-Parganas (South) the Managing Committee of the school initiated the process of selection of Teacher-in-Charge. Sri. Joddar and Sri. Das participated in the said selection process.

The Managing Committee again selected Mr. Das as the Teacher-in-Charge of the school.

Sri. Joddar challenging the said selection and complaining several irregularities in the Management of the school has filed two

writ petitions being W.P.A. 12334 of 2023 and WPA 10590 of 2023.

The teachers of the school questioning the legality and propriety of the said selection of Sri. Das and alleging different illegal activities of the Managing Committee have filed WPA 18270 of 2023.

Sri. Sujit Kumar Maity the District Inspector of Schools (S.E.) District. 24-Parganas (South) who is personally present informs this Court that he could not resolve the dispute of the teachers, in his report dated September 08, 2023 he has depicted the sorry state of affairs prevailing in the school.

Today since is the holiday of the school, as desired by this Court the teachers of the school are present, on interaction with them it is revealed that in the last few years the result of the school in the Board examination has considerably deteriorated, the identifiable cause of which is the infights of the teachers. There is serious allegation of manipulating favour for Sri. Das against the Group- 'C' staff of the school.

The students are worst casualty of the polarized tussle amongst the teachers and the lackadaisical attitude of the Managing Committee in managing the affairs of the school.

The ground level situation of the school needs to be ascertained to recover it before the same rolls down to an irretrievable condition.

**Sri. Subir Sanyal** learned senior advocate though is representing Sri. Joddar in this matters but considering his standing at the Bar this Court reposes confidence on him and appoints him as the **Special Officer** to ascertain the overall condition of the school and to file a report before this Court on the next date of hearing. Sri. Sanyal proposes to visit the school on **October 07**,

**2023.** Sri. Maity the District Inspector of Schools shall be present at the time of such visit.

Matter be listed again on **October 09, 2023 at 10.30 A.M.**

**Heard-in-part.**

**Re : WPA 11610 of 2023**

The petitioner is the retired Headmaster of the aforementioned school. The school authority is not issuing 'No Liability Certificate' thereby causing delay in disbursement of the retiral benefits to the petitioner.

Sri. Jana, learned counsel for the petitioner submits that the said certificate at last has been issued to his client on September 05, 2023 he prays that the said certificate may be uploaded in the relevant portal so that the concerned District Inspector of Schools can process the pension papers of the petitioner.

This Court is informed that though Sri. Lal Mohan Das has resigned from the post of Teacher-in-Charge of the said school but his resignation has not yet been accepted as such Sri. Das authorized to upload the said certificate in the relevant portal and upon uploading of the said document the District Inspector of Schools (SE), District – 24 Parganas (South) shall take appropriate forward steps for disbursement of the retiral benefits of the petitioner.

It is made clear that Sri. Lal Mohan Das has been so authorized only for the purpose of uploading the said certificate.

W.P.A. 11610 of 2023 is thus disposed of with the above terms without any order as to costs.

Parties to act on the server copy of this order downloaded from the official *website* of this Court.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

**(Biswajit Basu, J.)**