

13.07.2023
Item No.17
Court No.18
AJ.

W.P.A. 12126 of 2023
Shyama Pada Mukhopadhyay
-Vs-
The State of West Bengal & Ors.

Mr. Joydip Banerjee,
Ms. Mousumi Banerjee.
.....for the petitioner.

Mr. Bhaskar Prasad Vaisya, A.G.P.,
Mr. Sagnik Chatterjee.
.....for the State.
Ms. Koyeli Bhattacharyya.
.....for the WBBSE.

Affidavit of service filed by the petitioner be kept
with the record.

The order of the President, Ad-hoc Committee of the
West Bengal Board of Secondary Education, the
respondent no.5 herein dated September 29, 2022 whereby
a penalty of compulsory retirement has been imposed upon
the petitioner is under challenge in the present writ petition.

An appeal against the said order under Rule 10 of the
West Bengal Board of Secondary Education (Appointment,
Confirmation, Conduct and Discipline of Teachers and
Non-teaching Staffs) Rules, 2018 is pending before the
Appellate Authority.

In view of availability of such efficacious alternative
remedy, particularly when such remedy is being availed by
the petitioner, the challenge, is misconceived.

W.P.A. 12126 of 2023 is therefore dismissed without
any order as to costs.

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

(Biswajit Basu, J.)