

16.10.2023
(S/L-06-08)
Ct.-18
(P.Jana)

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. 18270 of 2023

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

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
.... For the added respondents in WPA 18270 of 2023.

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

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

Mr. Sarwar Jahan, ...For Lal Mohan Das.

Mr. Subir Sanyal,As Special Officer.

The Teachers of Nandabhanga High School under Bishnupur-II Block, District: 24 Parganas (South) are the petitioners of these three writ petitions.

The Headmaster of the said school, at the time of retirement, had handed over his charge to Sri Krishna Pada Joddar, the senior most assistant teacher and the aspirant for the post of the Teacher-In-Charge of the school.

The managing committee of the school instead of selecting Sri Joddar for the said post, by a resolution, appointed Sri Lalmohan Das, another assistant teacher in the said post of the Teacher-In-Charge.

Sri Joddar challenging the said appointment of Sri Das and alleging illegalities in different actions of the said Managing Committee has filed the W.P.A. 12334 of 2023 and the W.P.A. 10590 of 2023.

The other teachers of the school alleged irregularities in different decisions of the Managing Committee, the decision of appointing Sri Das as the Teacher-In-Charge, in particular have filed the writ petition being W.P.A. 18270 of 2023.

The report of Sri Sanyal, learned Senior Advocate, the Special Officer, appointed by this Court also criticizes the decisions of the Managing Committee to appoint said Sri Lalmohan Das as the Teacher-In-Charge as he is not the senior most assistant teacher of the school. The report has taken a strong exception to the decision of the said Managing Committee to grant leave to Smt. Monalisha Patra the only Physical Science teacher of the school for two years.

The leave so granted though was without pay but the Managing Committee by allowing the prayer of the said

teacher, has deprived the students of the school, besides there is nothing on record to suggest that the Managing Committee has sent the required information regarding the prayer of the said teacher for such leave to West Bengal Board of Secondary Education.

The Managing Committee of the Nandabhanga High School since is acting to the detriment of the interest of the school and its students, stands dissolved. The Sub-Inspector of Schools, Bishnupur-III Circle District-24 Parganas (South) is hereby appointed as the Administrator of the said school with immediate effect, the West Bengal Board of Secondary Education be informed accordingly.

The school authority shall secure the attendance of the said Smt. Monalisha Patra, the Physical Science teacher on the reopening day of the said school after the Puja vacation.

Sri Jahan, learned advocate appears on behalf of Sri Lal Mohan Das and informs this Court that his client has already tendered resignation from the post of the Teacher-In-Charge.

Sri Sujit Kumar Maity, the District Inspector of Schools (S.E.), District: 24-Parganas (South), who is present in Court files a report bearing Memo No. L.C. 842 dated October 13, 2023. In the said report, Mr. Maity has disclosed that Headmasters of two neighboring schools are interested to join as the Headmaster of Nandabhanga High School, one of them, Sri Tridib Chakraborty the Headmaster of Chaluary High School be transferred from the said school immediately and be brought to the Nandabhanga High School as the Headmaster. The authorities are directed to take steps accordingly.

Till the school gets the said regular Headmaster, Sri Krishna Pada Joddar, the senior most assistant teacher shall be the Teacher-In-Charge. Sri Lalmohan Das is directed to hand over the charge to Sri Joddar in course of this day.

Sri Maity files a separate sheet prepared by Block Level Field Junior Engineer Sarba Sikhsa Mission District. 24-Parganas(South) wherein the proposed repairing/renovation of the school building has been described with abstract estimated cost to execute the said works, let it be kept with the record.

Sri Maity shall take steps to execute and complete the proposed works during the Puja vacation of the school and on the next of hearing shall file an overall report on the issues under consideration.

The grievance of the other teachers of the school since has already been addressed, there is no necessity in keeping the writ petition filed by them pending accordingly **W.P.A. 18270 of 2023** is **disposed of** without any order as to costs.

W.P.A. 12334 of 2023 and W.P.A. 10590 of 2023 be listed on **November 30, 2023** for further consideration.

Heard-in-Part.

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

(Biswajit Basu, J.)