

S/L 14
15.12.2023
Court. No. 25
Sourav

WPA 26293 of 2007

Megha Mala Basu (Shome)
Vs.
The State of West Bengal & Ors.

Mr. Ekramul Bari
Mr. Sk. Imtiaj Uddin

...for the petitioner.

1. Questioning the sustainability of the resolution of the Managing Committee adopted on September 7, 2007 in terms of the order passed by a co-ordinate Bench of this Court in WP 25575 (W) of 2006 and seeking a further directed upon the Managing Committee of the school concerned to issue No Objection Certificate in favour of the petitioner for prosecuting Ph.D Degree in Kalyani University, this writ petition was instituted.
2. The petitioner was appointed as an Assistant Teacher in Physical Education Group in 1988 with qualifications BSc, diploma in Physical Education Group. She made a prayer for no objection certificate before the Managing Committee to prosecute Ph.D in Physical Education from Kalyani University. Such prayer for issue of No Objection Certificate was not considered, she was forced to approach this Court by preferring a writ petition being WP 25575 (W) of 2006 which was disposed of by a co-ordinate Bench of this Court on November 30, 2006 directing the competent authority of the school to take decision regarding petitioner's request for No Objection

Certificate within a week from the date of communication of this order.

3. Record speaks that the Headmaster of the school granted No Objection Certificate to enable the petitioner to pursue M.Ed but the Managing Committee adopted a resolution on September 7, 2007 whereby the prayer for issue of No Objection Certificate of the petitioner was turned down. Hence this writ petition.
4. Mr. Bari, learned advocate appearing for the petitioner submits that although No Objection Certificate has not been issued by the Managing Committee but the university concerned has allowed the petitioner to prosecute Ph.D from the university and during pendency of this Court, the petitioner has already completed the course and she has acquired M.Ed degree in Physical Education.
5. She made a prayer before this Court to dispose of the writ petition making this observation.
6. Since the petitioner has completed the M.Ed course, the writ petition being **WPA 26293 of 2007** is disposed of without any order as to costs.
7. Parties are directed to act upon the server copy of this order duly downloaded from the official website of this Court.
8. Urgent photostat certified copy of this order, if applied for be given to the parties, upon compliance of necessary formalities.

(Partha Sarathi Chatterjee, J.)

