

AD-10
Ct No.01
Jalpaiguri
20.09.2023
SP

**Calcutta High Court
In The Circuit Bench at Jalpaiguri
Appellate Side**

MAT 147 OF 2023
IA NO: CAN 1 OF 2023

HOMNATH NIROULA @ HOMNATH NEROULA
VS
THE MANAGING COMMITTEE, LINGSEY
HIGHER SECONDARY SCHOOL AND ORS

Mr. Arjun Chowdhury
Ms. Pratusha Dutta Chowdhury

.....for the appellant

Mr. Hirak Barman
Mr. Momenur Rahman

. . . .for the State.

Mr. Bikramaditya Ghosh
Mr. Bikash Singha

. . . . for the respondent No.1

1. Learned counsel for the appellant submits on instruction that the appellant does not want to press the appeal, in view of the appellant having been transferred in the meantime. However, the appellant seeks to challenge the said order of transfer in an independent writ petition.
2. Accordingly, MAT 147 of 2023 and CAN 1 of 2023 are dismissed as not pressed without any order as to costs. Liberty, however, is given to the appellant to

challenge his transfer, which has taken place in the meantime, by way of an independent writ petition. If so challenged, nothing in this order shall preclude the Writ Court from entering into the merits of the same independently and in accordance with law.

(Sabyasachi Bhattacharyya, J.)

(Uday Kumar, J.)