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01.05.2024
Ct. No. 11
Jayanta

**MAT 820 of 2024
With
IA No. CAN 1 of 2024**

**Syed Imtiaz Ahmed
vs
State of West Bengal & Ors.**

Mr. Syed Arif Ahmed
..... For the Petitioner.

Mr. Supriya Chattopadhyay
Mr. Moniruzzaman
Mr. Manas Kumar Sadhu
Mr. Sayantanu Bhattacharya
..... For the State/Respondents.

Ms. Koyili Bhattacharyya
..... For the W.B.B.S.E.

The present appeal has been preferred challenging an order dated 22nd March, 2024 passed by the learned single Judge in a writ petition being, WPA 22153 of 2023. It appears that the said writ petition was heard along with another writ petition preferred by one Ratnadip Mishra and others being WPA 28983 of 2023.

Mr. Ahmed, learned advocate appearing for the appellant/ writ petitioner submits that the appellant's representations made to the competent authority with a prayer to take appropriate administrative measures/administrative transfer of the teaching staff of Balarampur M. N. Vidyamandir (H.S.) (hereinafter referred to the said school), who are running a parallel administration, were not considered and appropriate steps were not taken against the delinquent teaching

staff and other staff of the said school. Such argument, as advanced, was glossed over by the learned single Judge and a direction was issued to the Commissioner of School Education to take appropriate steps for appointment of a fresh statutory auditor to conduct audit of the account of the said school.

Mr. Chattopadhyay, learned Additional Government Pleader appearing for the State/respondents vehemently opposes the submissions of the appellant and submits that on the basis of the representations submitted by the appellant and other complaints as lodged, multiple enquiries were conducted as the very administration of the said school was at stake. The Sub-Divisional Officer, Baruipur has already been appointed as the Administrator and all necessary steps have been taken for smooth functioning of the school. The appellant, however, wants to prevent the authorities even from conducting a statutory audit.

Ms. Bhattacharyya, learned advocate appearing for the Board adopts the submissions of Mr. Chattopadhyay and submits that the appellant had already been suspended from the post of Headmaster of the said school and a disciplinary proceeding had been initiated against him.

We have heard the learned advocates appearing for the respective parties and considered the materials on record.

Mr. Ahmed has not been able to satisfy this Court as to why the direction upon the Commissioner of School Education to take appropriate steps for appointment of a fresh statutory auditor to conduct audit of the account of the said school, needs to be interfered with. No legal right of the appellant has been infringed by the order impugned in the present appeal. In view thereof, no interference is called for in the present appeal.

The appeal and the connected application are, accordingly, dismissed.

There shall, however, no order as to costs.

Urgent certified photocopy of this order, if applied for, be supplied as expeditiously as possible.

(Partha Sarathi Chatterjee,J.) (Tapabrata Chakraborty,J.)