

S/L 2
10.5.2024
Court No.18
SD

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION

WPA 12526 of 2024

Sujoy Barman
Vs.
The State of West Bengal & Ors.

Mr. Subhas Chandra Atha
Ms. Payel Paramanik

...for the Petitioner.

Mr. Suddhadev Adak

...for the State.

Ms. Koyeli Bhattacharyya

...for the WBBSE.

Affidavit of service filed on behalf of the petitioner
be kept with the record.

The petitioner is claiming that he has cleared the Combined Research Entrance Test (CRET), as such is eligible to be a research scholar at the Department of English & Modern European Language (MEL) in the University of Allahabad.

The petitioner had filed a writ petition being WPA 276 of 2024, complaining that he is unable to join in the said course as the school authority is not issuing the required No Objection Certificate (NOC).

This Court by the order dated February 6, 2024 had disposed of the said writ petition by directing the Managing Committee of the school to consider the application of the petitioner seeking such NOC in accordance with law.

In compliance with the said direction, the Managing Committee decided to adopt an appropriate resolution, but due to lack of clarity in the application, has

failed to adopt an appropriate resolution but referred the entire matter to the West Bengal Board of Secondary Education.

It appears from the record that the petitioner is seeking such NOC with the undertaking that in the event he becomes successful in his said course, he would not claim any financial benefit on the basis of his higher qualification, he has also prayed that his absence in the school while pursuing the said course may be treated as Leave without Pay.

The application of the petitioner for issuance of the said NOC since is lacking clarity with regard to the aforementioned issues, the resolution of the Managing Committee therefore cannot be faulted.

The petitioner however, is granted liberty to file a fresh application, and if such an application is made, the Managing Committee shall consider the same expeditiously, in accordance with law.

W.P.A. 12526 of 2024 is disposed of with the above terms without any order as to costs.

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

(Biswajit Basu, J.)