

27.06.2024
Item No.18
gd/ssd

WPA(P)/238/2024
VINAY KUMAR SINGH
VS
THE STATE OF WEST BENGAL AND ORS.

Mr. Sabyasachi Chatterjee,
Mr. Omar Faruk Gazi,
Mr. Maidul Islam Keyal,
Mr. Kaustav Roy
..for the Petitioner.

Mr. Biswabrata Basu Mallick,
Mr. Sayan Ganguly
..for the State.

1. By this public interest litigation it is alleged that a Government aided primary school has been shifted out to a different premises and in the old premises a building has come up and the school has not been shifted.

2. As could be seen from the letter given by the Teacher in-Charge of the primary school, that the schools themselves have stated that the building is dangerous and unable for human habitation as declared by the Titagarh Municipality. Furthermore, it is evident from the said letter that the landlord is a private person.

3. Therefore, by way of a public interest writ petition direction cannot be issued against a private person to enforce any alleged assurance stated to have been given to the institution and, therefore, no relief is granted.

4. The learned Government counsel submitted written instructions stating that the school is presently functioning about 50 meters away from the earlier site and it is a municipal building for which a nominal rent of Rs.1,000/- is being charged.

5. Accordingly, the writ petition stands dismissed.

(T. S. SIVAGNANAM)
CHIEF JUSTICE

(HIRANMAY BHATTACHARYYA, J.)