

29.08.2024
Item No.4
PG/KS
Ct. No.1

**W.P.A.(P) 582 of 2022
With
IA No. CAN 1 of 2024**

**Ajit Kumar Chakraborty & Anr.
Versus
The State of West Bengal & Ors.**

Mr. Kamalesh Bhattacharya
Mr. Debanjan Bhattacharya
Mr. Samrat Chowdhury

.....For the Petitioners

Mr. Samrat Sen, Ld. A.A.G.
Mr. Sirsanya Bandyopadhyay, Ld. J.S.C.
Mr. Ritesh Kumar Ganguly
Ms. Manali Ali

..... For the State

Mr. Arunava Banerjee
Mr. S. Dasgupta
Ms. Ritika Mondal

.....For the North Bengal University

Mr. Samiran Mandal
Mr. Abhinabha Dan

.....For the Respondent No.14

1. We have heard the learned advocates for the parties.
2. Affidavit of service filed in Court be kept with the record.
3. The prayers made by the writ petitioners in this public interest litigation is clearly relating to service dispute.
4. In the light of the decision of the Hon'ble Supreme Court in ***Bholanath Mukherjee & Ors. Vs. Ramakrishna Mission***

Vivekananda Centenary College and Ors.

reported in **(2011) 5 SCC 464**, a public interest writ petition would not be maintainable in service law cases. Furthermore, the petitioner was also a former Headmaster of the very same school and now he seeks cancellation of a degree granted in favour of the private respondent and also to cancel his appointment as Headmaster and also forfeit all his pensionary benefits.

5. Such a prayer cannot be acceded to.
6. Accordingly, writ petition stands dismissed.
7. No costs.
8. Urgent photostat certified copy of this order, if applied for, be furnished to the parties expeditiously upon compliance of all legal formalities.

(T.S SIVAGNANAM)
CHIEF JUSTICE

(HIRANMAY BHATTACHARYYA, J.)