

45.
10-12-2024
(Ct. no.18)
debajyoti

**IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
APPELLATE SIDE**

WPA 26316 of 2024

**Patauddin Laskar
Vs.
The State of West Bengal & Ors.**

Mr. Anindya Sundar Das,
Mr. Sudip Sarkar,
Ms. Taslima Khatun,
Mr. Subrata Mondal,
Ms. Paramita Mondal,
Ms. Suva Gayen,
Ms. Kuheli Gayen
... For the Petitioner.

Ms. Sipra Mazumder,
Ms. Prativa Ghatak
... For the State.

Ms. Saswati Chatterjee
... For W.B.B.S.E.

Mr. Kallol Kumar Basu,
Mr. Sunit Kumar Roy,
Mr. Jannat-ul-Firdaus,
Mr. Archisman Sain
... For the Respondent No.6.

1. By presenting this writ petition, *inter alia*, the petitioner has prayed for direction upon the concerned respondent authorities which would facilitate the petitioner to function as President of the Managing Committee of Garakupi High School, Hasnabad, North 24 Parganas. In support of such contention, reliance is placed on an order dated 22nd August, 2023, issued by the Assistant Secretary to the Government of West Bengal, School Education Department, whereby the petitioner was nominated as Nominee of Department to be the President of the

Managing Committee of the aforesaid school. It is contended that in spite of nomination being made in favour of the petitioner vide order dated 22nd August, 2023, the petitioner could not function as President of the Managing Committee of the aforesaid school.

2. Today, in terms of the previous order, a report has been filed by the District Inspector of Schools (Secondary Education), North 24 Parganas, dated 2nd December, 2024 and the same is taken on record.

3. On perusal of the report, it appears that though a Managing Committee meeting was attempted to be convened on 22nd September, 2023 for reconstitution of Managing Committee, but the same could not be held since out of 12 members, 6 members were present. It is also stated in the said report that there was no reconstitution of Managing Committee and Administrator is functioning in the school.

4. In view of the report dated 2nd December, 2024, this Court finds that though the petitioner was nominated on behalf of the School Education Department, Secondary Branch, to function as President of the Managing Committee, but due to failure on the part of school authority to reconstitute the Managing Committee, no order can be passed on this writ petition issuing mandamus thereby directing the respondent authorities to permit the petitioner to function as President of the Managing Committee.

5. Hence, the writ petition stands dismissed.

6. Urgent photostat certified copies of this order, if applied for, be supplied to the parties on compliance of all necessary formalities.

(Saugata Bhattacharyya, J.)