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Ct. 18
19.03.2024

W.P.A. 26316 of 2023

**Managing Committee, Beara High School (H.S.),
represented through its Secretary as well as
Teacher-in-Charge, namely Swapan Kumar Dutta
of Beara High School (H.S.) & Ors.**

Vs.

The State of West Bengal & Ors.

Mr. Sanjib Das,
Mr. Madhusudan Mukhopadhyay
... For the petitioners.

Mr. Bhaskar Prasad Vaisya, AGP,
Mr. Gaurav Das ... For the State.

Ms. Koyeli Bhattacharyya ... For the WBBSE.

Mr. Sarsar Jahan,
Mr. Satyam Mukherjee,
Ms. Sayani Ahmed
... For the respondent nos. 20 to 23.

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

The Managing Committee of the Beara High School
(H.S.), District – 24 Parganas (North) and its members are
the petitioners of the present writ petition.

The petitioners are aggrieved by the order dated July 24,
2023 passed by the President, Ad-hoc Committee of the
West Bengal Board of Secondary Education, the
respondent no. 13 herein.

The heirs and legal representatives of one Brojendranath
Biswas, the respondent nos. 20 to 23 herein, filed a writ
petition being W.P.A. 1745 of 2020 claiming that their said
predecessor, Brojendranath Biswas had gifted land and
money to set up the Beara High School (H.S.) with the
assurance that the school will be in his name but after
setting up the school, the assurance was not honoured.

A representation of the said respondents ventilating the said grievance was pending before the President, Ad-hoc Committee of the West Bengal Board of Secondary Education, the respondent no. 13 herein.

The said writ petition was disposed of vide order dated June 14, 2023 directing the respondent no. 13 to dispose of the said representation in accordance with law.

In compliance with the said direction, the respondent no. 13 by the order impugned has disposed of the said representation directing change of the name of the said school from **Beara High School(H.S.)** to **Beara Brojendranath High School.**

Mr. Sanjib Das, learned advocate for the petitioners submits that the said Brojendranath Biawas was not the lone contributor in setting up the said school, there are others, therefore the respondent no. 13 should not have changed the name of the age old school acceding to the prayer of the respondent nos. 20 to 23.

It appears from the order impugned that the respondent no. 13, on scrutiny of the records, has found that the said Brojendranath Biswas had contributed land and money to set up the school and the then Managing Committee of the school vide its resolution dated August 30, 1969, had adopted an unanimous resolution to name the school in the name of said Brojendranath Biswas and had directed its Secretary to take follow-up steps with the Board. The present Managing Committee cannot defy the conscious decision of its predecessors-in-office, that apart, the respondent no. 3, to strike the balance has named the school as Beara Brojendranath High School.

This Court does not find any irregularity and/or illegality in the order impugned warranting interference.

W.P.A. 26316 of 2023 is therefore dismissed without any order as to costs.

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

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Biswajit Basu, J.)