

W.P.A. 1458 of 2024

**Gargi Talukder
Vs.
The State of West Bengal & Ors.**

Mr. Anjan Bhattacharya
Ms. Anita Shaw

...for the petitioner

Mr. Suman Dey

...for the school authority

Mr. Anand Fermania
Ms. Indumouli Banerjee

...for the State

1. In terms of the order dated 5th August, 2025 petitioner resumed duty as Headmistress in Debipur Karunamoyee Balika Vidyayatan, South 24 Parganas (hereinafter referred as 'said school') on 11th August, 2025.
2. As per the direction of this Court two reports dated 12th August, 2025 of the District Inspector of Schools (SE) South 24 Parganas and another dated 18th August, 2025 of the concerned police authority, Maipith Coastal Police Station, South 24 Parganas are filed today and same are taken on record.
3. President of the Managing Committee of said school has filed a report in the form of affidavit affirmed on 12th August, 2025 and same is taken on record.
4. Mr. Suman Dey, learned advocate representing the President has brought to the notice of this Court that disciplinary proceeding was initiated against the

petitioner and a charge sheet was issued on 12th July, 2024 by the Deputy Secretary (Disciplinary Authority) of the West Bengal Board of Secondary Education. It is submitted that there are several allegations against the petitioner based on which aforesaid charge sheet was issued. However, on query it is submitted petitioner has not been suspended till date.

5. Based on report filed on behalf of President of the Managing Committee this Court finds that the order passed by this Court on 5th August, 2025 is required to be modified in view of observation made in paragraph 6 of the said order. In paragraph 6 of order dated 5th August, 2025 it was recorded that no proceeding was initiated against the petitioner and petitioner was not under suspension. It is submitted on behalf of the President of the Managing Committee of the said school that though petitioner has not been placed under suspension but disciplinary proceeding is pending against her and charge sheet was issued on 12th July, 2024.
6. Therefore, the order dated 5th August, 2025 stands modified to the extent that disciplinary proceeding was pending against the petitioner in view of issuance of charge sheet dated 12th July, 2024 by the concerned authority of Board but petitioner was not placed under suspension. Rest of the order remains unaltered.

7. However, this order shall not preclude said school authority as well as West Bengal Board of Secondary Education to bring the disciplinary proceeding initiated against the petitioner to its logical conclusion within reasonable time. Since petitioner is the headmistress of the said school concerned authority of the Board shall also be at liberty to consider whether suspension of the petitioner is necessary or not for concluding proceeding against her; Board shall also be at liberty to take decision in this regard
8. With the aforesaid observations writ petition stands disposed of.
9. Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)