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**In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

W.P.A 2569 of 2024

**Pingla Jogendranath Hazra
Memorial Girls' High School & Anr.
-versus-
The State of West Bengal & Ors.**

**Ms. Rita Patra,
Ms. Pusmita Das.
...For the Petitioners.**

**Mr. Supriyo Chattopadhyay,
Ms. Sayantanee Bhattacharjee.
...For the State.**

**Ms. Koyeli Bhattacharyya.
...For WBBSE.**

1. The petitioner alleges that the respondent no. 7 is admitting girl students in the school in violation of the guidelines published by the Board of Secondary Education, West Bengal vide Circular No.37/56 dated 16th July, 1956.

2. Learned advocate appearing on behalf of the Board submits that the subject circular dated 16th July, 1956 is no longer in force.

3. In view of the promulgation of the Right to Education Act, 2009 and the subsequent Right to Education Rules, 2012, the requirement for obtaining permission for admitting girl students in co-education secondary schools in West Bengal has lost its relevance as no child can be denied admission to schools irrespective of his/her caste, creed or gender.

4. The provision regarding obtaining permission for admitting girl students in co-education schools under the Secondary Board stood cancelled.

5. As the circular relied upon by the petitioner is no longer in vogue, accordingly, no direction can be passed upon the respondent authority to act in accordance with the same. The Board shall ensure that the subject school acts strictly in accordance with the relevant rules.

6. The instant writ petition stands disposed of.

7. Report in the form of affidavit filed on behalf of the West Bengal Board of Secondary Education is taken on record.

8. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Amrita Sinha, J.)