

20. 04.08.2025
(M/L) Court No.8
(Tanmoy)

WPA (P)/282/2022
MOHAN SINGH RAI
VS
STATE OF WEST BENGAL AND ORS.

Mr. L.M. Mahata, AGP
Mr. Rudranil De
Mr. Prasanta Behari Mahata

...for the State.

1. None appears for the petitioner.
2. Mr. Mahata, learned Additional Government Pleader (AGP) appearing on behalf of the State, submits that the report dated 6th December, 2022 be taken on record. A copy whereof was supplied to learned Counsel for the petitioner on 2nd March, 2023.
3. By taking this Court to paragraphs 2 and 7 of the report learned AGP submits that this petition, by no stretch of imagination, can be treated as a Public Interest Litigation (in short 'PIL'). The averment in paragraph 2 of the report makes it clear that the petitioner was the founder member of the Institution and his younger brother was the Headmaster of the concerned school. Thus, they are persons interested and this petition cannot be treated to be filed in public interest.

4. We find substance in the argument of learned Counsel for the State and accordingly, deem it proper to dismiss this petition on the ground of maintainability by reserving liberty to the petitioner to file regular proceedings in accordance with law.

5. Urgent photostat certified copy of this order, if applied for, be made available to the parties upon compliance with all requisite formalities.

(Sujoy Paul, J.)

(Smita Das De, J.)