

D/L 212
26.06.2025
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ct.no.35

W.P.A.13635 of 2025

**Hasanur Jaman & Ors.
Versus
State of West Bengal & Ors.**

Mr. Firdous Samim
Ms. Gopa Biswas
Mr. Mainak Ghosal.
...for the petitioners.

Mr. Suman Ghosh
Mr. Siddhartha Ghosh.
...for the State-respondents.

Mr. Sarwar Jahan
Ms. Tapati Sarkar
Mr. Hasanuz Zaman Molla.
...for the respondent nos.6 & 7.

Mr. Rafikul Islam Sardar
Mr. Uttam Kumar Pradhan.
...for the respondent nos.8 & 9.

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

Petitioners have approached this Court being
guardians of some of the students who have
expressed their anxiety that they cannot send their
students to their school because of certain untoward
incidents taking place.

Mr. Jahan, learned advocate appearing for
the respondent nos.6 and 7 submits that the school
authorities are ready to operate the school.

Learned advocate appearing for the respondent nos.8 and 9 opposes the contentions and submits that a case was instituted being Baduria P.S. Case No.298 of 2025 dated 04.06.2025 which is against one Ashik Iqbal, who is stated to be husband of the principal.

Be that as it may, since the registration of a criminal case has got nothing to do with the students attending the school and the school operating on its own, I am of the view that the pendency of the criminal case will have no impact in the operation of the school. However, that do not prevent the police authorities to take action in its own course. So far as the criminal case is concerned, the same should be independent of the operation of the school.

The Superintendent of police, Basirhat Police District would ensure by deploying adequate police force that no untoward incident should take place in and around the vicinity of the school when the school will be operating and the students would be participating in the classes. If there are any local issues involved, the Superintendent of Police will also ensure that there should not be any breach of peace in and around the area and no individual should be insecured because of any previous incidents which have taken place.

It is directed that such police activity would be deployed before two hours when the school commences on 30th June, 2025 and such police force would continue to be deployed after two hours when the school closes. Until and unless the Superintendent of Police is confident that there is hardly any possibility of any untoward incident or breach of peace in and around the vicinity of the school, the said arrangement would continue.

Needless to state that as no affidavits have been called for, the allegations made in the writ petition are deemed not to have been admitted.

With the aforesaid observations, WPA 13635 of 2025 is disposed of.

There will be no order as to costs.

Report so submitted be kept with the record.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

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

(Tirthankar Ghosh, J.)