

05.08.2025

15  
Ct.No.7  
sdas

WPA No. 15046 of 2023

Sonali Shit Soren  
Vs.  
The State of West Bengal & Ors.

Mr. Piyush Chaturvedi  
Mr. Biswarup Biswas  
Mr. Kamal Mishra  
Mr. Pratap Sanpui  
.....for the petitioner

Mr. Avishek Prasad  
..... for the State

Mr. Anindya Bose  
Mr. Santanu Maji  
.... for the respondent School

The present writ petition has been filed challenging the justifiability of the order dated 28.04.2023 passed by the District Inspector of Schools (S.E.), Paschim Medinipur, which was issued in compliance with the order dated 10.02.2023 passed by a co-ordinate Bench in WPA No. 27245 of 2022. Additionally, the petitioner prays for a writ of certiorari to quash the order dated 28.04.2023 passed by the District Inspector of Schools. The petitioner further prays for an appropriate direction to the District Inspector of Schools (S.E.) to approve the petitioner's appointment as Headmistress of Bhimpur Santal High School (H.S.) (hereinafter referred to as the "school").

Mr. Chaturvedi, learned Advocate representing the petitioner, submits that the school, being a Christian Missionary School and a Minority Educational Institution, initiated a selection process to fill the post of Headmaster/Headmistress. The essential criteria for the post required the candidate to have a minimum of ten years' teaching experience at a government-approved high school and to have secured at least 50% marks in the Post-Graduate Course.

He submits that the petitioner participated in the selection process and, having emerged as the successful candidate, was appointed to the post of Headmistress. Subsequently, the school authority forwarded all relevant documents to the District Inspector of Schools (S.E.) for approval of the petitioner's appointment to the said post at the school.

However, despite receiving the relevant documents, the District Inspector of Schools (S.E.) did not take any action in this regard. This continued inaction compelled the petitioner to file a writ petition, WPA No. 27245 of 2022, which was disposed of by a coordinate Bench of this Court on 10.02.2023, with a direction to respondent No. 3 to consider the petitioner's case strictly in accordance with law.

As noted earlier, in compliance with the order dated 10.02.2023, the District Inspector of Schools (S.E.) issued a reasoned order declining to approve the

petitioner's appointment to the post of Headmistress on the ground that the petitioner had not secured 50% marks in the Post-Graduate Course.

He further submits that the petitioner subsequently obtained an M.A. Degree in Political Science with First Class from Ch. Charan Singh University. He contends that this subsequent acquisition of a Post-Graduate Degree with First Class should be taken into consideration, and the District Inspector of Schools (S.E.) may be directed to approve the petitioner's appointment in light of this qualification.

Mr. Bose, learned Advocate representing the respondent School, submits that as a Minority Institution, the Administrator is empowered to initiate a selection process to fill the posts of Headmaster/Headmistress or Assistant Teacher, as well as non-teaching staff of the said School. He further submits that the school authority is inclined to initiate a fresh selection process for the post of Headmaster/Headmistress, and the petitioner may be permitted to participate in that process.

Mr. Chaturvedi, learned Advocate representing the petitioner, submits that the petitioner is willing to accept the proposal put forth by the school authority.

I do not find any infirmity in the order passed by the District Inspector of Schools (SE), Paschim Medinipur.

Having regard to the submissions of both the school authority and the petitioner, the writ petition is disposed of with a direction to the school authority to initiate a fresh selection process for filling the post of Headmaster/Headmistress in the said School. The petitioner shall be permitted to participate in the selection process, and may rely on her subsequent acquisition of a Post-Graduate Degree with First Class in Political Science as one of the essential eligibility criteria for the post.

It is expected that the school authority will initiate and complete the selection process in accordance with the applicable rules as expeditiously as possible, preferably within six months from the date of receipt of a copy of this order.

With these observations and order, this writ petition is, thus, disposed of. There shall be no order as to costs.

**(Partha Sarathi Chatterjee, J.)**