

W.P.A. 18496 of 2025

**Sri Swapan Roy @ Swapan Kumay Roy
Vs.
The State of West Bengal & Ors.**

Mr. Shamim ul Bari
Ms. Jhilik Singha
Ms. Asmita Mitra

...for the petitioner

Mr. Tanmoy Kumar Ghosh
Ms. Depapriya Sarkar

..for the State

1. Affidavit of service filed on behalf of the petitioner is taken on record.
2. President of the Managing Committee of Mongal Chandra Vidyapith (HS) South 24 Parganas (hereinafter referred to as 'said school') has come up with the present writ petition questioning order dated 14th July, 2025 issued by the Deputy Secretary to the Government of West Bengal whereby one Sri Ganesh Biswas was nominated as President of Managing Committee of the said school.
3. Learned advocate representing the petitioner submits petitioner was nominated as President of Managing Committee of the said school vide order dated 8th June, 2022 issued by the Assistant Secretary to the Government of West Bengal. However, after nominating the petitioner as President of the Managing Committee in the month of June, 2022

petitioner could not assume charge as the President of the Managing Committee since tenure of the then Managing Committee did not expire. After expiry of the previous Managing Committee new Managing Committee took charge in the month of September 2024 and a resolution was adopted on 17th September, 2024 thereby petitioner was inducted as President of the Managing Committee in terms of the order dated 8th June, 2022. As the tenure of the present Managing Committee will expire in the month of September 2027 it is submitted that before expiry of the tenure of the present Managing Committee impugned order dated 14th July, 2025 may not be given effect to.

4. State respondents are represented by learned advocate who has opposed the prayer of the petitioner and has made submission to defend the impugned order dated 14th July, 2025 issued by the Deputy Secretary to the Government of West Bengal.
5. In terms of the relevant provisions of the Rules for Management of Sponsored Institutions (Secondary), 1972 term of the Managing Committee is for three years and the present Managing Committee of the said school took charge in the month of September, 2024. Therefore, life of the Managing Committee will expire in the month of September, 2027. As per order dated 8th June, 2022 petitioner was inducted as

President of the Managing Committee of the said school vide Managing Committee resolution dated 17th September, 2024 and the Managing Committee assumed charge in the month of September, 2024. Therefore, it appears prior to September, 2024 previous order dated 8th June, 2022 could not be given effect to as a result whereof petitioner could not function as President of the Managing Committee prior to September, 2024. Since petitioner has not been found to be disqualified to function as President of Managing Committee of a Government Aided Sponsored Institution based on order dated 8th June, 2022 he should be permitted to function as the President of the Managing Committee till the expiry of the Present Managing Committee.

6. Therefore, in terms of the order dated 14th July, 2025 nominated person shall have opportunity to be inducted as President of the Managing Committee of the said school when Managing Committee will again be constituted in the year 2027 and not before that.
7. With the aforesaid observations and clarifications writ petition stands disposed of.
8. Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)