

21.11.2025
Item No.03
Court No.11
KCP

**MAT 1557 of 2025
with
IA No.CAN 1 of 2025**

**Belma Sri Sri R N High
School (H.S.) & Another
- Versus -
The State of West Bengal & Others**

Mr. Surya Prasad Chattopadhyay,
Mr. Satya Ranjan Kundu,
Mr. Arjun Samanta,
Mr. Ankit Chatterjee.
...for the appellants

Mr. Swapan Banerjee, Ld. A.G.P.
Mr. D. N. Banerjee.
...for the State/Respondents

Ms. Kaberi Ghosh (Dey).
...for the respondent nos.11 & 12

Mr. S. Mukherjee.
...for the respondent no.13

Ms. Koyeli Bhattacharyya,
Mr. Bibek Dutta.
...for the W.B.B.S.E.

The present appeal is directed against the order dated 26th August, 2025, passed by the learned Single Judge in WPA 8049 of 2024, by which the writ petition was dismissed. However, liberty was reserved to the appellants to take appropriate action if they are aggrieved by the actions of respondent no. 11, the Ex-President, and respondent no. 12, the retired Headmaster of the Belma Sri Sri R. N. High School (H.S.) (hereinafter referred to as “the said school”).

The facts that need to be narrated for effective disposal of the appeal are that the appellants, being the school and the President of the current managing committee, had preferred a writ petition seeking a direction upon the concerned respondents to take appropriate action against the erstwhile Headmaster and the President of the erstwhile managing committee of the school.

In the writ petition, the appellants complained that the former Headmaster (private respondent no. 12), who retired on 31st March, 2021, did not hand over the necessary documents to the person nominated by the managing committee to take charge. They further alleged that the school accounts had not been audited for several financial years. Due to the absence of these crucial documents, the present managing committee is facing immense inconvenience in running the school.

In view of such circumstances, the President approached this Court seeking a direction upon the concerned respondents, including the D.I. of Schools, to take appropriate action against the erstwhile Headmaster and the former President of the managing committee of the school.

The impugned order reflects that the learned Single Bench did not accept this contention and dismissed the writ petition. However, liberty was granted to the appellants, the school authority and the President of the present managing committee, to take appropriate action if they were aggrieved by any act or actions on the part of the erstwhile Headmaster

or the former President of the managing committee of the said school.

Mr. Chattopadhyay, learned advocate appearing for the appellants, submits that the Headmaster did not hand over charge in accordance with law. He further contends that the service books of many teachers and non-teaching staff of the said school have also not been handed over.

He further submits that the 'No Liability Certificate' was issued by the then President in connivance with the Headmaster, and for this reason, the present managing committee is facing insurmountable inconvenience in running the administration of the school.

In view thereof, he submits, a direction be given upon the concerned District Inspector of Schools to take appropriate action against the erstwhile Headmaster and the then President of the managing committee of the school.

During the course of hearing, the District Inspector of Schools submits a report along with certain documents. The report and the documents, as produced on behalf of the D.I. of Schools, are taken on record. The report indicates that the accounts of the school fund had been audited up to 31st March, 2021, and no special observation or suggestion was made by the auditor. The documents annexed thereto also suggest that the erstwhile Headmaster had handed over charge to the then President, and the President had issued a 'No Liability Certificate' in favour of respondent no. 12.

As indicated earlier, the Headmaster retired on 31st March, 2021, and admittedly the master-servant relationship

between the school and the Headmaster ceased upon his retirement. Moreover, liberty had already been granted to the writ petitioners/appellants to take appropriate steps, in accordance with law, in the event they are aggrieved by any action of respondent nos. 11 and 12.

In view thereof, we are of the opinion that no further interference is warranted in the present appeal.

Accordingly, the appeal and the connected application are disposed of.

There shall, however, be no order as to costs.

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

(Partha Sarathi Chatterjee, J.) (Tapabrata Chakraborty, J.)