

04.11.2025  
AGM  
Sl. No.81 (ML)  
Ct. No.18.

**In The High Court At Calcutta  
Constitution Writ Jurisdiction  
Appellate Side**

**WPA 23709 of 2025**

Ananya Das Midya Choudhury  
Vs  
The State of West Bengal & Ors.

Mr. Sayan Banerjee.  
Mr. Nilanjan Pain.  
.....for the petitioner.

Mr. Gourab Das.  
... For the State.

1. The petitioner claims to be the wife of one Rajjoyti Midya Choudhury, who is a school teacher.
2. Allegation is that her husband has contacted a second marriage with the private respondent, namely, Sayantani Jana Midya Chowdhuri and incorporated her name as nominee in his official service records.
3. The petitioner submits that the second marriage is illegal and the name of the private respondent ought to be deleted from the service records of her husband and her name ought to be inserted therein.

4. A written objection by the petitioner has been forwarded to the District Inspector of Schools, which is alleged to be kept pending.
5. None represents the private respondents.
6. As it appears that the issue in question is pending consideration at the end of the District Inspector of Schools, accordingly, the aforesaid respondent is directed to consider the representation filed by the petitioner strictly in accordance with law after giving a reasonable opportunity of hearing to the petitioner, the teacher, private respondent and the school authority.
7. If the petitioner is able to convince the aforesaid respondent with factual evidence of her marriage, then necessary remedial steps shall be taken by the aforesaid authority.
8. It is made clear that the District Inspector of Schools shall not enter into or decide the factum of marriage and will take a decision on the basis of the records and documents produced before him.
9. If there is any dispute with regard to the factum of marriage, the parties shall be relegated to the competent civil forum for declaration of their respective rights.

10. A decision shall be taken by District Inspector of Schools at the earliest but positively within a period of twelve weeks from the date of communication of this order.
11. A reasoned order shall be passed and communicated to the parties.
12. As the writ petition is being disposed of without calling for any affidavits, the allegations made in the writ petition are deemed not to have been admitted by the respondents.
13. Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

**(Amrita Sinha, J.)**