

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

ML- 02.09.2025
180 Ct.18
rkd DO

W.P.A. 28016 of 2023

Ranjit Mahato & Anr.

-vs-

The State of West Bengal & Ors.

Mfr. Sougata Mitra,
Mr. Nikhil Kumar Gupta,
Ms. Soma Chakraborty,
Mr. Subhadeep Maitra

....for the petitioners.

Mr. Mritunjoy Goshwami,
Mr. Arijit Sarkar

....for the State.

1. In terms of previous order, a report is filed by the District Inspector of Schools (SE), Purulia being respondent no.6 dated 3rd April, 2025 and same is taken on record.
2. On perusal of the report, it appears that both the petitioners were inducted as Persons Interested in Education (PIE) on the Managing Committee of Kantadih Siksha Satra High School (HS), Purulia (hereinafter referred to as the “said school”) vide letter dated 24th April, 2023.
3. It also appears from the said report, present Managing Committee of the said school took charge on 1st April, 2023 and petitioners were permitted to function as members of the Managing Committee

under PIE category on and from 24th April, 2023.

4. As per impugned order dated 5th December, 2023 issued by the Deputy Director of School Education (Basic), West Bengal two other persons were nominated under PIE category on the Managing Committee of the said school.
5. However, two newly inducted persons as per order dated 5th December, 2023 could not function as PIE since petitioners under the same category are functioning being the members of the Managing Committee.
6. In terms of Rule 10 of the Management of Sponsored Institutions (Secondary) Rules, 1972 term of the Managing Committee is three years and in the present case since Managing Committee took charge of 1st April, 2023 tenure of the Managing Committee will expire on 31st March, 2026, not prior to that.
7. Therefore, petitioners at present since are functioning as members of the Managing Committee under PIE category impugned order dated 5th December, 2023 ought not to be given effect to.
8. It appears without considering the fact that petitioners were permitted to function as members of the Managing Committee under PIE category

with effect from 24th April, 2023 by issuing order dated 5th December, 2023 two other persons were inducted as members of the Managing Committee under PIE category.

9. Reliance is placed on the order passed by this Court dated 17th March, 2025 on a writ petition being WPA 27363 of 2023 in similar situation in the same school in connection with nomination for functioning as President of the Managing Committee. Copy of the order dated 17th March, 2025 is retained with the record.
10. Hence, order dated 5th December, 2023 issued by the Deputy Director of School Education (Basic), West Bengal is set aside.
11. In the event, present Managing Committee of the said school remains valid till 31st March, 2026 petitioners shall be permitted to function as members of the said Managing Committee under PIE category provided petitioners are not disqualified otherwise.
12. After expiry of the term of the present Managing Committee, concerned State authorities shall be at liberty to nominate other persons to function as members of the newly constituted Managing Committee under PIE category by passing appropriate order.

13. The writ petition stands disposed of.
14. However, there shall be no order as to costs.
15. Urgent photostat certified copy of this order, if applied for, be given to the learned Advocates for the parties on the usual undertakings.

(Saugata Bhattacharyya, J.)