

S/L 7
21.05.2025
Court No.2
SD

CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI
CONSTITUTIONAL WRIT JURISDICTION

WPA 2288 of 2024
CAN 1 of 2025

Bankim Chandra Barman
Vs.
The State of West Bengal & Ors.

Mr. Bikramaditya Ghosh
Mr. Avimannu Das

...for the Petitioner.

Mr. Hirak Barman
Mr. Kumar Shantanu

...for the State.

Re: CAN 1 of 2025

The petitioner was the Mukhya Siksha Sampasarak of Chhoto Garai Jhora Hochain Ahamadia Madrasah Siksha Kendra, he died on January 12, 2025.

The applicant, being the Teacher-in-Charge of the said Siksha Kendra, has filed the instant application for his substitution in place and instead of the deceased petitioner.

Mr. Ghosh, learned advocate for the applicant submits that the deceased petitioner had filed the writ petition in the capacity of Mukhya Siksha Sampasarak, as such, the right to sue survives upon the present Teacher-in-Charge of the said institution, the applicant herein.

The application is allowed, consequently the applicant be substituted in place and instead of the deceased petitioner. The Department is directed to take steps to amend the cause-title of the writ petition.

CAN 1 of 2025 is thus disposed of without any order as to costs.

WPA 2288 of 2024

Mr. Ghosh prays leave to withdraw the writ petition with liberty to file afresh on the ground that it suffers from some technical defects

Leave, as prayed for, granted, WPA 2288 of 2024 is dismissed as withdrawn without any order as to costs.

This order, however, will not prevent the petitioner to file a fresh writ petition on the selfsame cause of action and for the selfsame relief.

Parties to act on the server copy of this order duly downloaded from the official *website* of this Court.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties, subject to compliance of all requisite formalities.

(Biswajit Basu, J.)