

27.02.2026
ADSL - 01
Court No.11
Avijit Mitra

**MAT 396 of 2026
with
IA No.CAN 1 of 2026**

**Manjula Ghosh
- versus -
The State of West Bengal & ors.**

Mr. Shuvro Prokash Lahiri,
Ms. Ankita Dey,
Mr. Ankan Mondal
...for the appellant
Mr. Biswajit De,
Mr. Sarthak Singh
....for the State
Ms. Koyeli Bhattacharyya
...for the WBBSE

Affidavit-of-service, as filed, be kept on record.

The present appeal has been preferred challenging an order dated 23rd February, 2026 passed by the learned single Judge in a writ petition being WPA 1881 of 2026, which was preferred by one Papia Choudhury (in short, Papia) praying for issuance of necessary direction upon the respondents *‘particularly, the School Education Department and the District Inspector of Schools (SE), Hooghly, to forthwith determine and declare, by a reasoned written order, the legally valid Managing Committee of Kanaipur Kanya Vidyapith (Higher Secondary) or, in the alternative, to appoint an Administrator/Ad-hoc Committee/Drawing and*

Disbursing Officer in accordance with the Management of Sponsored Institutions (Secondary) Rules, 1972, as amended so as to ensure lawful and continuous administration of the school'.

By the order impugned, considering the report filed by the Additional District Inspector of Schools, the learned single Judge relegated the dispute to the District Inspector of Schools (SE), Hooghly (hereinafter referred to as the DI) for consideration and a decision upon hearing the parties and to place the said decision before the Court on the returnable date.

By the said order, the learned single Judge also directed the DI to ensure that the private respondent/appellant herein, namely, Manjula Ghosh (in short, Manjula), who happens to be the President of the Managing Committee of the Kanaipur Kanya Vidyapith (Higher Secondary) (hereinafter referred to as the said school), to hand over the charge to one Sutapa Das (in short, Sutapa) positively within a period of 48 hours.

Mr. Lahiri, learned advocate appearing for Manjula submits that Papia had no *locus* to prefer the writ petition as she had already been removed from the post of teacher-in-charge of

the said school and the said order was not under challenge in the writ petition. The scope and ambit of the writ petition did not warrant issuance of any order upon Manjula to hand over charge to one Sutapa Das (hereinafter referred to as Sutapa).

Mr. De, learned advocate appearing for the State denies and disputes the contention of Mr. Lahiri and submits that by a memo dated 11th February, 2025 the Deputy Secretary to the Government of West Bengal, School Education Department nominated Sutapa to be the President of the Managing Committee of the said school. In spite of the said order, Manjula did not hand over charge.

Ms. Bhattacharya, learned advocate appearing for the West Bengal Board of Secondary Education ((hereinafter referred to as the said Board) adopts such submission of Mr. De and submits that the order has been passed in the interest of the institution and warrants no interference.

We have heard the learned advocates appearing for the respective parties and considered the materials on record.

The competent authority being the Deputy Secretary to the Government of West Bengal,

School Education Department way back on 11th February, 2025 issued a memo nominating Sutapa to be the President of the Managing Committee of the said school. The said decision had not been challenged by Manjula. In the said conspectus, there is no infirmity in the direction of the learned single Judge upon the DI to ensure that Manjula hands over the charge to Sutapa. Acceding to Mr. Lahiri's prayer would, in fact, be a direction contrary to a valid order passed by the competent authority on 11th February, 2025.

Accordingly, the appeal and its connected application are dismissed.

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

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

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