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23.11.2026
Court No.24
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IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 14276 of 2025

Sima Das
-versus
The State of West Bengal & Ors.

with

WPA 28122 of 2025

Sima Das
-versus
The State of West Bengal & Ors.

Mr. Ujjal Ray
... For the petitioner

Mr. Pijus Kanti Ghoshal
Mrs. Mousumi Roy
... For the State in WPA 14276 of 2025

Mr. Subhankar Chakraborty
Mr. Prasanta Bishal
Mr. Atindra Rai
... For the State in WPA 28122 of 2025

Ms. Koyeli Bhattacharyya
Mr. Bibek Dutta
Mr. Manas Bhattacharyya
... For the WBBSE

Mr. Sanjay Saha
Ms. Indrani Mukherjee
... For the respondent nos.9 & 10

1. Exceptions in the form of affidavits in respect of the two writ petitions filed on behalf of the petitioner in Court today are taken on record.

2. Two writ petitions filed by the petitioner are taken up analogously for consideration.

3. Heard submissions made on behalf of the parties.

4. The grievance of the petitioner in WPA 14276 of 2025 appears to have been redressed substantially. The updated service book of the petitioner has been made ready and handed over to her.

5. Learned advocate for the petitioner, however, alleges that there are several manipulations in the service book which are required to be rectified.

6. In the second writ petition, being WPA 28122 of 2025, the petitioner is aggrieved as the District Inspector of Schools (SE), Howrah vide reasoned order dated 23rd July, 2025 impugned herein, relegated the entire issue of correcting manipulations in the service book to the school authority.

7. Specific submission of the petitioner is that at this stage, the school as well as the District Inspector of Schools is not cooperating with her. If the manipulations in the service book are not rectified, the petitioner would be highly prejudiced as she would not get her arrear dues.

8. The petitioner prays for adjudication of the matter by the Commissioner of School Education upon giving her an opportunity of hearing.

9. Learned advocate representing the school asserts that the service book of the petitioner has been correctly updated.

10. Learned advocate for the West Bengal Board of Secondary Education submits that the issue has to be decided by an independent superior authority.

11. Learned advocate representing the State submits that the District Inspector of Schools has already considered the prayer of the petitioner and passed necessary order and right now the District Inspector of Schools does not have any role in the matter.

12. Upon hearing submissions made on behalf of all the parties, it appears that the dispute with regard to making incorrect and improper entries in the service book has to be decided by an authority superior to the District Inspector of Schools. The petitioner is at logger heads with the school authority.

13. The District Inspector of Schools though accepted the contention of the petitioner at the initial stage, but right now is no longer cooperating with the petitioner. The petitioner apprehends that she may not get proper justice in the hands of the District Inspector of Schools if the matter is relegated to him all over again.

14. In view of the above, considering the facts and circumstances of the case and to assure the petitioner that proper justice would be done, the Court thinks it fit to relegate the matter to the Commissioner of School Education for considering the issue and for passing necessary order in the matter.

15. WPA 28122 of 2025 stands disposed of with the direction that the Commissioner of School Education shall afford an opportunity of hearing to the

petitioner and the school as regards the entries made in the service book of the petitioner.

16. After verification of proper records and upon hearing submission of the representative of the school and the petitioner, shall pass necessary order in the matter at the earliest but positively within a period of eight weeks from the date of communication of this order.

17. Parties would be bound by the order passed by the Commissioner of School Education and necessary follow up steps shall be taken by all the competent authorities.

18. The Commissioner of School Education shall take a decision with regard to the incremental benefit and arrear salary of the petitioner at the time of hearing and consideration of her prayer.

19. In view of the order passed hereinabove, the impugned decision of the District Inspector of Schools (SE), Howrah dated 23rd July, 2025 stands set aside.

20. WPA 14276 of 2025 also stands disposed of.

21. It is made clear that the Court has not entered into the merits of these matters and all points are left open to be decided by the Commissioner of School Education upon hearing the parties.

22. All parties shall act on the basis of a server copy of this order duly downloaded from the official website of this Court.

23. Certified server copy of this order, if applied for, be supplied to the parties on compliance of all requisite formalities.

(Amrita Sinha, J.)