

30.04.2024.
Court No.13
Item No. 71
ap

W.P.A. No. 12320 of 2024

**Joydeb Biswas & Ors.
Versus
The State of West Bengal & Ors.**

Mr. Pritam Majumdar,
Ms. Satabdi Das.

...For the petitioners.

Mr. Biswabrata Basu Mallick, AGP,
Mr. Biman Halder.

...For the State.

Mr. Bhaskar Prasad Vaisya,
Mr. Pinaki Bhattacharyya.

...For the DPSC, North 24 Parganas.

1. Affidavit-of-service filed in Court today be taken on record.
2. The writ petitioners seek the benefit of the order dated 24th April, 2024 passed in respect of District Primary School Council, North 24 Parganas.
3. The writ petition has been filed on 29th April, 2024. The petitioners would not have ordinarily got the benefit of the said order dated 24th April, 2024 since the cut off date of the order for benefit of the said order was for writ petitions upto 24th April, 2024.
4. It further appears from the order dated 25th July, 2023 passed by a Co-ordinate Bench of this Court that the petitioners had approached this Court on the selfsame cause of action earlier by way of W.P.A. No. 25186 of 2022. The writ petition was allowed to be withdrawn by the said order with liberty to the petitioners to file afresh.

5. While the delay in filing of the writ petition from 25th July, 2023 till 29th April, 2024 is not satisfactorily explained, what weighs with this Court is the fact that the petitioners had already approached this Court in the year 2022 on the selfsame cause of action.

6. This Court, therefore, allows the benefit of the order dated 24th April, 2024 passed in respect of the District Primary School Council, North 24 Parganas to the petitioners on the same terms and conditions in W.P.A. No. 20966 of 2022 (Kakali Mondal & Ors. – Vs. – The State of West Bengal & Ors.).

7. The additional factor that weighs in favour of the petitioners is that leave was granted to the petitioners to file the instant writ petition by this Court.

8. With the aforesaid directions, the instant writ petition shall stand disposed of.

9. There will be no order as to costs.

10. All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)