

25.01.2024
(D/L 09)
Ct.-18
(Susanta)

W.P.A. 1648 of 2024

Ranaghat OBR Brihattara Graduate
Teachers' Association

-Vs-

The State of West Bengal & Ors.

Mr. Sudip Ghosh Chowdhury,
Ms. Shreyeta Mitra,

.... For the Petitioner.

Mr. Sirsanya Bandopadhyay,
Mr. Arindam Chattopadhyay,
Mr. Arka Kumar Nag,
Ms. Lipika Chatterjee,

.... For the State.

Ms. Koyeli Bhattacharyya,

.... For the W.B.B.S.E.

One Sri Dhruba Pada Ghosal claiming to be the President of the petitioner Teacher's Association has challenged the notification of the West Bengal Board of Secondary Education bearing no. D.S (C)/019/24 dated January 18, 2024 whereby and whereunder the timing of examination for the ensuing Madhyamik Pariksha (SE) 2024 has been rescheduled.

The Board on May 19, 2023 had notified the timing of the said examination to be from 11.45 a.m. to 3.00 p.m. but by the impugned notification, has rescheduled the said timing from 9.45 a.m. to 1.00 p.m.

Mr. Ghosh Chowdhury, learned advocate for the petitioner submits that there is no reason to reschedule the examination to the detriment of

the students, the Board therefore should go back to the original timing of the examination particularly when such timing was followed for more than two decades,.

Mr. Sirsanya Bandopadhyay, learned junior Standing Counsel submits that the administrative measures required to be taken to hold the said examination as per the rescheduled timing, is complete, any deviation of the said timing would result in total disruption of the administrative measures already taken for the said examination.

Ms. Bhattacharyya, learned counsel for the Board submits that all stakeholders were consulted before such rescheduling and those stakeholders assured the Board that they would provide all logistical support in eliminating even the slightest inconvenience of the students in reaching to their respective examination centers and taking up the said examination smoothly. She further submits that at this stage, the administrative measures cannot be re-arranged in support of the earlier schedule.

Heard learned counsel for the parties, perused the materials-on-record.

The decision of the Board to reschedule the timing of the said examination is not supported by any reason, which the learned Standing counsel and the learned counsel for the Board are now

supplementing. The Board should have announced the rescheduled timing much earlier than just two weeks before the examination and thereby has made the situation irreversible. This Court, for the said reason only is not interfering with the decision of the Board to reschedule the timing of the examination.

However, the Board and the State Administration must ensure that the students shall not face any difficulty in taking up the said examination and as measures thereof, shall take the following steps immediately:-

1. To provide sufficient number of functional help lines in all the Control Rooms set up for the examination at different levels.

2. To take steps for wide circulation of the said help line numbers at the ground level by all available modes, including loudspeaker announcements through local Police Stations.

3. On reporting of any inconvenience in the Control Room by any student or anyone on his/her behalf, the Administration shall take immediate steps to bring the student to his/her examination center atleast half an hour before the scheduled time of commencement of the examination.

The measures indicated above are suggestive not exhaustive, as such the Administration,

besides the above measures, shall take all steps necessary to eliminate the difficulty of any student in reaching to the examination center.

The State and the Board shall take effective steps to implement the aforementioned measures by **January 29, 2024**.

In view of the above, this Court is not inclined to examine the correctness of the dispute raised on behalf of the State and the Board regarding the *locus standi* of the said Sri Ghosal to maintain the writ petition.

The matter will be taken up **at 2.00 p.m.** on **January 30, 2024** when the State and the Board shall apprise this Court regarding the follow-up steps taken by them.

List it on the said date under the heading “**To Be Mentioned**”.

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

(Biswajit Basu, J.)