

11.12.2025  
Sl. No.21  
Ct. No.14  
ss

**IN THE HIGH COURT AT CALCUTTA  
CONSTITUTIONAL WRIT JURISDICTION  
APPELLATE SIDE**

**W.P.A. No. 26763 of 2016**

**Asim Maity & ors.**

**Versus**

**The State of West Bengal & Ors.**

Mr. Samim Ahammed  
Ms. Ambiya Khatun  
Md. Nasirul Haque  
Ms. Reshma Khatun

...for the Petitioners

Mr. Arjun Roy Mukherjee  
Mr. S. Mukherjee  
Mr. J. Medhi

... for the respondent no.2/  
The State Project Director,  
Paschim Banga Sarva Siksha Mission

Mr. Kanailal Samanta

... for the respondent no.4

Ms. Jayeeta Sinha  
Mr. Ranjit Rajak

... for the State

1. This matter is appearing in the list under the heading  
*'To Be Mentioned'*.
2. Mr. Samim Ahammed, learned Advocate appearing for  
the petitioners submit that the issue involved in the  
present writ petition is no more *res integra* and has  
been decided by the Hon'ble Division Bench in *FMA*  
*728 of 2023*. The challenge to the order of Hon'ble  
Division Bench has not been entertained by the  
Hon'ble Supreme Court in Special Leave Petition (Civil)  
Diary No.45726 of 2025.

3. Mr. Arjun Roy Mukherjee, learned Advocate for the respondent no.2- the State Project Director, Paschim Banga Sarva Siksha Mission and Ms. Jayeeta Sinha, learned Advocate for the State seeks to file affidavit-in-opposition.
4. Let such affidavit-in-opposition be filed by the respondent no.2-the State Project Director, Paschim Banga Sarva Siksha Mission as also by the State-respondent within a period of two weeks from date. Advance copy of such affidavit-in-opposition be served upon the learned Advocate for the petitioners. Affidavit-in-reply, if any, be filed within one week thereafter.
5. List this matter on **21<sup>st</sup> January, 2026** at **2 p.m.** under the heading '***For Hearing***'.

**(Bivas Pattanayak, J.)**