

V\$  
ITEM NO.1

COURT NO.4

SECTION XVI

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

I.A. No. 13/2013 in  
Petition(s) for Special Leave to Appeal (Civil) No(s).15253/2006

(From the judgement and order dated 03/05/2006 in FMA No.294/2005  
of The HIGH COURT OF CALCUTTA)

W.B.O. PRIMARY TEACHERS' ASSN. & ORS. Petitioner(s)

VERSUS

CHAIRMAN, AD-HOC COMMITTEE, NORTH & ORS. Respondent(s)

(for directions and office report)

WITH

I.A. No. 16/2013 in  
Petition(s) for Special Leave to Appeal (Civil) No(s).14897/2008  
(for directions and office report)

Date: 29/04/2013 These IAs were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.M. LODHA  
HON'BLE MR. JUSTICE KURIAN JOSEPH

For Petitioner(s)

SLP 15253/2006 Mr. A.K. Ganguli, Sr. Adv.  
Mr. Somnath Mukherjee, Adv.  
Mr. Shrish Kumar Misra, Adv.

SLP 14897/2008 Mr. Sunil Kumar, Sr. Adv.  
Mr. Nayeemul Haque, Adv.  
Mr. Soumik Ghosal, Adv.  
Mr. D.P. Yadav, Adv.  
Mrs Sarla Chandra, Adv.

For Respondent(s) Mr. Jaideep Gupta, Sr. Adv.  
Mr. Kunal Chatterji, Adv.  
Ms. Maitrayee Banerjee, Adv.  
  
Mr. Deba Prasad Mukherjee, Adv.  
Ms. Nandini Sur, Adv.  
  
Mr. Gaurav Jain, Adv.  
Ms. Abha Jain, Adv.  
Mr. N.K. Jain, Adv.  
  
Mr. Avijit Bhattacharjee, Adv.  
Mr. Bikar Kargupta, Adv.  
Ms. Sarbani Kar, Adv.  
  
Ms. Mridula Ray Bharadwaj, Adv.  
  
Mr. Abhish Kumar, Adv.  
  
Mr. Sunil Kumar Verma, Adv.  
  
Mr. Somnath Mukherjee, Adv.

Mr. Ranjan Mukherjee, Adv.

Mr. Pijush K. Roy, Adv.  
Ms. Kakali Roy, Adv.  
Mr. Mithilesh Kumar Singh, Adv.

Mr. Kamlesh Bhattacharjee, Adv.  
Mr. Rameshwar Prasad Goyal, Adv.

Mr. Devvrat, Adv.  
Mr. Anup Kumar, Adv.

UPON hearing counsel the Court made the following  
O R D E R

I.A. No. 13/2013 in S.L.P. (Civil) No.15253/2006

Mr. A.K. Ganguli, learned senior counsel for the petitioners, submits that respondent Nos. 6, 7, 9 to 14, 16 and 17 are not necessary parties and service on them may be dispensed with. At the risk of the petitioners, we order accordingly.

In para 5 of the affidavit filed by Mr. Manik Bhattacharya, President of West Bengal Board of Primary Education (for short, 'Board') as recently as on April 25, 2013 (affirmed on April 22, 2013), the following statement has been made :-

"The West Bengal Board of Primary Education is prepared to make application forms available at the District Primary School Council Office and publish fresh Advertisement to this effect within two weeks in at least two widely circulated in the state, if so ordered by this Hon'ble Court."

Mr. Jaideep Gupta, learned senior counsel for the Board, submits that as a matter of fact examinations have already been held and there is now no occasion for issuance of advertisement or making available forms. Had that been so, the position must have been stated as such in the affidavit and there was no justification for the deponent to make the statement that has been made in para 5 as put up above.

Let Mr. Manik Bhattacharya, President of the Board remain personally present in the Court on May 7, 2013.

It will be open to the him to explain the position by way of an additional affidavit.

I.A. No. 16/2013 in S.L.P. (Civil) No.14897/2008

List the interlocutory application on May 7, 2013.

|(Rajesh Dham)  
|Court Master

|(Renu Diwan)  
|Court Master

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