

Court No. 17

WPA 12270 of 2021

19.05.2022

(SL 1 & 2)

(at 3 p.m.)

(S. Banerjee)

Sabina Yeasmin & Ors.

Vs.

The State of West Bengal & Ors.

Mr. Bikash Ranjan Bhattacharya, Sr. Advocate

Mr. Sudipta Dasgupta

Mr. Bikram Banerjee

Mr. Arkadeb Biswas

Mr. Arka Nandi

Ms. Dipa Acharya

Mr. Sutirtha Nayek

... for petitioners

Mr. Supriyo Chattopadhyay

Mr. Joydip Banerjee

Mr. Samir Kumar Ghosh

... for the State

Mr. Billwadal Bhattacharya

Mr. Samrat Goswami

... for CBI

Mr. Kishore Dutta, Sr. Advocate

Dr. Sutanu Kumar Patra

Ms. Supriya Dubey

... for SSC

Ms. Koyeli Bhattacharya

... for WBBSE

With

WPA 5406 of 2022

Babita Sarkar

Vs.

The State of West Bengal & Ors

Mr. Bikash Ranjan Bhattacharya, Sr. Advocate

Mr. Firdous Samim

Ms. Gopa Biswas

Ms. Mousumi Hazra

Mr. Aritra Bhattacharya

... for petitioner

Mr. Bhaskar Prasad Vaisya

Mr. Arindam Chattopadhyay

... for the State

Mr. Billwadal Bhattacharya
Mr. Samrat Goswami

... for CBI

Mr. Kishore Dutta, Sr. Advocate
Dr. Sutanu Kumar Patra
Ms. Supriya Dubey

... for SSC

Ms. Koyeli Bhattacharya

... for WBBSE

Mr. Biswaroop Bhattacharya

... for the added respondent, Mr. Adhikary

Both the matters are taken up together.

I have heard the learned advocates for the two petitioners and the learned counsel for the School Service Commission.

The application filed by the petitioners, namely Sabina Yeasmin & Ors., has been regularised and filed today in court. Let the same be kept with the record.

Regarding paragraph 2 of the said application, learned Senior Advocate Mr. Kishore Dutta, has submitted that elaborate affidavit in respect of the statements made therein has to be filed by the persons as the Commission has a right to know on the basis of which such allegations have been made which, according to Mr. Dutta, are wholly baseless and untrue.

Such affidavit is to be filed by the parties by one week after vacation. I specify the date – such affidavit is

to be filed by 14th June, 2022 when this matter will appear in the list under the heading 'To be mentioned'.

The parties have made elaborate arguments in this matter. Now I am passing the order and the reasoning for the order will be given tomorrow in open court when these matters will again appear along with other similar matters tomorrow at 2 p.m.

The order I pass today is:-

- i) The Central Reserve Police Force will continue to guard the building till tomorrow and shall not allow any person except the Chairman, the Advisor to the Chairman, the Secretary and the Assistant Secretaries and not more than two Stenographers in the said office building.
- ii) Two CRPF personnel shall start guarding the Data Room in the second floor of the said office of the West Bengal Central School Service Commission in Salt Lake round the clock from now onward until further order.
- iii) Regarding the withdrawal of the CRPF personnel who have been deployed there by order of this court, necessary order may be passed tomorrow if in the meantime, i.e., before 2 p.m. tomorrow CBI takes possession and control of the said Data Room in the second floor of the Commission's office at Salt Lake by

putting their own padlock and sealing it to their satisfaction.

iv) If the Data Room is to be opened by the Commission, the Commission shall have liberty to approach this court disclosing the purpose for an order for such opening.

I hope and expect that CBI will be able to take over the possession and control of the Data Room and will keep a hawk's eye on the said important room in the head office of the School Service Commission, namely Acharya Sadan.

The Secretary of the Commission, who is present in court today, will go back to the Commission's office and will identify the room to the CBI officer already present in the office of the Central School Service Commission at Salt Lake. This identification and putting the lock and key and sealing the room has to be completed by 7 p.m. today.

The Programme Officer of the Commission Ms. Parna Bose, along with the Secretary of the Commission, will show and open the door of the Data Room to the CBI officers by 7 p.m. today. They will show the CBI officer and to the technical officer, if there be any in the team of CBI the computer and other machines there and CBI will take steps as has been stated in the order.

A very short report is required to be filed by CBI in this matter at 2 p.m. tomorrow.

List this matter tomorrow at 2 p.m. with other similar matters.

(Abhijit Gangopadhyay, J.)