

Serial No.1  
August 10, 2020.  
BPg.

**W.P. No.5890(W) of 2020**  
**With**  
**C.A.N.4006 of 2020**  
**With**  
**W.P. No.201 of 2020**  
**With**  
**W.P.5378(W) of 2020**  
**With**  
**C.A.N. 3145 of 2020**  
**With**  
**W.P.5872(W) of 2020**  
**With**  
**C.A.N.3956 of 2020**  
**(Via Vide Conference)**

*Vineet Ruia*  
*-versus-*  
*The State of West Bengal and others*

*Ms. Priyanka Agarwal*  
*...for the petitioner.*

*Mr. Kishore Datta*  
*Mr. Sayan Sinha*  
*...for the State.*

*Mr. Anirban Ray*  
*...for the respondent no.8.*

*Mr. Aniruddha Mitra*  
*...for the respondent no.9.*

*Mr. Sabyasachi Choudhury*  
*Mr. Rajarshi Dutta*  
*Mr. VVV Sastry*  
*Mr. Tridib Bose*  
*Ms. S. Tewary.*  
*...for Ashok Hall Group of Schools.*

*Mr. Y.j. Dastoor*  
*Mr. Siddhartha Lahiri.*  
*...for the respondent nos.3 and 4.*

*Mr. Debashis Saha*  
*Ms. Dipika Banu*  
*Mr. S. Roy.*  
*For Paramita Memorial School, Salt Lake*  
*Point School, National English School.*

*Mr. Saptarshi Datta*  
*Mr. A. Chakraborty.*  
*...for South City International School.*

*Mr. Jayanta Sengupta*  
*Mr. Partha Banerjee*  
*Mr. Debabrata Das.*  
*...for Indus Valley World School & B.D.*  
*Memorial School.*

It is alarming that several advocates are in court to do the matter when the court has not resumed physical functioning and the physical appearance in court is restricted to persons not having access to technology or the resources to conduct litigation on the virtual platform.

Learned Advocate General has brought it to the court's notice that the State's affidavit filed in this matter has been circulated in the social media by the petitioner. There is, no doubt, an element of public interest involved. Merely because the petitioner is publicity hungry, it may not result in the petition being dismissed; but the petitioner may be shut out and an *amicus curiae* appointed in the event the petitioner uses this forum for the petitioner's political gains. In any event, the petitioner cannot satisfy the court that service has been effected on the 112 schools and more which are sought to be affected by the order that have been sought. The

petitioner claims to have furnished data pertaining to the fees charged by about 45 schools. Since the data pertaining to the majority schools have not been furnished, the matter cannot be considered in its entirety.

By the previous order of July 21, 2020, the office of learned Additional Solicitor General was required to be served. It is reported that service has been effected of only the petition and even the annexures to the petition and the subsequent supplementary affidavit filed by the petitioner have not been forwarded to such office.

There are many difficulties in a virtual hearing being conducted and care and caution must be exercised that parties likely to be affected by the proceedings or any orders passed therein are not missed out. At this moment, the court cannot be confident that the parties likely to be affected have been informed or have been made aware of the proceedings or have had an opportunity to participate therein.

It is for this reason the matter cannot be taken up immediately. The petitioner must satisfy the court that all the schools likely to be affected by the orders that may be passed herein have been duly served. It will be open to all schools to file affidavits, if not already done, to furnish the details of the fees charged, expenses on account of salary, the other fixed and variable costs.

Let the matter appear a week hence to ascertain whether the hearing can be taken up.

The petitioner will refrain from using the social media to propagate the petitioner's interests in this matter; or else the petitioner may be excluded from the proceedings.

In view of this order, the connected matters also stand adjourned for a week.

The petitioner must ensure service of copies of the petition and the supplementary affidavit, together with all the annexures, on all schools likely to be affected by the proceedings. The office of learned Additional Solicitor General be similarly served.

**(Sanjib Banerjee, J.)**

**(Moushumi Bhattacharya, J.)**