

07 18.12.2020
AN Ct. No. 13

W.P.A. 8962 of 2020

Managing Committee of Atkina High Madrasah

-vs.-

State of West Bengal & Ors.

Mr. Ekramul Bari
Ms. Tanuja Basak

... for the petitioner

Mr. Prosenjit Mukherjee
Mr. Nirmalya Kr. Das
Mr. Tirthankar Mukherjee
Mr. Saptarshi Chakraborty
Ms. Madhurima Sarkar

... for the Madrasah Service
Commission

Learned counsel for the Madrasah Service Commission submits that the recommendation of the Commission was passed on a request by the D.I. concerned for a pass-graduate teacher and hence only a pass-graduate teacher was recommended to teach Mathematics in the Madrasah concerned.

Be that as it may, the Commission further clarifies that the concerned teacher has been re-assigned to another Madrasah and has withdrawn his joining letter to the current Madrasah viz. Atkina High Madrasah.

In such circumstances, the Commission is directed to recommend a teacher with Honours or Post-graduate Degree in Mathematics to function as an Assistant Teacher for Mathematics in the said Atkina High Madrasah as soon as a candidate becomes available.

Since the original requisition issued by the D.I. concerned has been placed before the Court which is ex facie erroneous, the Commission shall not wait for another acquisition from the D.I. concerned and shall on the basis of this order, as an exceptional case, proceed to recommend the candidate as directed hereinabove for this Madrasah concerned.

The recommendation shall be made in the next process, as submitted by the learned counsel for the Commission that shall occur sometime in February, 2021.

With the above observations, the instant writ application stands **disposed of**, however, without any order as to costs.

A copy of the original erroneous recommendation of the D.I. concerned may be kept with the record.

Urgent certified photostat copy of this order, if applied for, shall be given to the parties as expeditiously as possible on compliance of all necessary formalities.

(Rajasekhar Mantha, J.)