

24.12.2020.
Item no. 22.
Court No.13
ap

W.P.A. No. 10861 of 2020

Md. Hasanuzzaman Molla
Versus
The State of West Bengal & Ors.

Mr. Kaustav Chandra Das,
Sk. Sahjahan Ali.

..for the petitioner.

Mr. Subhrangsu Panda.

...for the State.

Mr. Prosenjit Mukherjee,
Mr. Nirmalya Das,
Ms. Madhurima Sarkar.

...For the Madrasah Service Commission.

Affidavit-of-service filed in Court today be kept
with the record.

The writ petitioner applied for transfer under
the Scheme of 2013 and chose K.M.D.S. Senior
Madrasah in the district of South 24 Parganas. This
happened on 2nd December, 2020.

However, it transpires from the records of the
Commission that another candidate, being the private
respondent no.5, has already been counselled and
posted to teach in the Madrasah in the year 2018.

This Court appreciates the offer of the
Commission's Counsel, Mr. Prosenjit Mukherjee. He
has suggested that both, the private respondent's
representations to be accommodated in another
Madrasah as well as the petitioner's desire of joining
the K.M.D.S. Senior Madrasah, shall be considered on

a convenient date by the Secretary of the Madrasah Service Commission.

Let such consideration be effected on 27th December, 2020 at about 3:00 P.M. when the petitioner and the private respondent no.5 carrying all their documents, shall meet the Secretary Madrasah Service Commission. On such date, the Secretary, Madrasah Service Commission shall take a final decision on the request of the writ petitioner as also the representation of the private respondent no.5 dated 11th December, 2020.

It is understood that the Madrasah Service Commission shall not recommend anybody else to the K.M.D.S. Senior Madrasah, in the meantime.

With the aforesaid observations, the instant writ petition shall stand disposed of.

There will be no order as to costs.

All parties are directed to act on a server copy of this order on usual undertakings.

(Rajasekhar Mantha, J.)