

04,DL,Ct.18.
18.01.2021
AJ.

W.P.A. 313 of 2021

Rozina Yasmin
-Vs-
The State of West Bengal & Ors.

Ms. Koyeli Bhattacharyya,
Mr. Subhrangsu Panda.
.....for the petitioner.

Mr. Prosenjit Mukherjee,
Mr. Nirmalya Kumar Das,
Ms. Madhurima Sarkar.
.....for the Madrasah
Service Commission.

Mr. Tapan Kumar Mukherjee,
Mr. Samim-ul Bari.
.....for the State.

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

The petitioner was appointed as the Bengali
(Pass) Assistant Teacher at G.B.S. Junior High
Madrasah (Unit II), Malda.

She was subsequently transferred purely on
sympathetic ground and as a temporary working
arrangement to Panchla Girls' High Madrasah,
Howrah vide memo of the Director of Madrasah
Education, West Bengal bearing Memo No. 1100-
ME/G-107-ME/07, dated July 20, 2018.

The petitioner being aware that the
Commission is now considering the application of
the approved teaching and non-teaching staffs of
recognized Madrasahs for general transfer, gave a
representation to the Secretary, West Bengal
Madrasah Service Commission, the respondent

No. 3 herein praying withdrawal of the vacancy list for general transfer in respect of the Bengali (Pass) posts of the Panchla Girls' High Madrasah, Howrah and has prayed for regularization of her temporary appointment in the said Madrasah.

Ms. Bhattacharyya, learned Counsel appearing on behalf of the petitioner submits that responding to the said representation of the petitioner, the Commission has kept the said post of Assistant Teacher in the said Panchla Girls' High Madrasah, Howrah out of the zone of consideration for the said general transfer but the grievance of the petitioner is that the Commission is not taking any further steps on the said representation.

Mr. Prosenjit Mukherjee, learned Counsel appearing on behalf of the Madrasah Service Commission submits that the Commission shall consider the said representation of the petitioner in accordance with law.

The Commission being the authority regarding transfer of the approved teaching and non-teaching staffs of the recognized Madrasahs is obliged to consider the said representation of the petitioner.

The said respondent no.3 is, therefore, directed to consider the said representation of the petitioner dated November 27, 2020 appearing at

page '33' of the writ petition being Annexure P-4 and to dispose of the same by a reasoned order after giving all concerned parties an opportunity of being heard within four weeks from the date of the communication of this order.

The petitioner shall supply a copy of the writ petition along with a copy of this order to the said respondent no.3 immediately.

It is made clear that this Court has not gone into the merit of the claim of the petitioner for regularization of her appointment in the post of Assistant Teacher, Bengali (Pass) at the said Panchla Girls' High Madrasah, Howrah, it is for the Commission to decide the same in accordance with law.

W.P.A. 313 of 2021 is disposed of with the above terms.

No order as to costs.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Biswajit Basu, J.)