

Item No.27

08.12.2021
Ct-24

In The High Court At Calcutta
Constitutional Writ Jurisdiction
(via video conference)

WPA 15381 of 2021
Nasirul Hossain & Ors.

v.

The State of West Bengal & Ors.

Mr. Kamalesh Bhattacharyya
Ms. Pampa Dey (Dhabal)
... for the petitioners.

Sk. Md. Galib
Ms. Subhra Nag
... for the State respondents.

Mr. Nadim Suliaman
... for WBBME.

The writ petition has been filed by seven petitioners by putting only one Court fees.

The learned advocate-on-record of the petitioners is directed to deposit the deficit Court fees in respect of six other petitioners in the course of this week. In default, the order passed herein shall be restricted only in respect of the petitioner no. 1 and the writ petition shall be deemed to have been dismissed in respect of the others.

The petitioners pray for a direction upon the Director of Madrasah Education, West Bengal to act in terms of the communication dated December 24, 2020 from the District Inspector of Schools (S.E.), Murshidabad.

The District Inspector of Schools by the aforesaid communication forwarded certain papers which were submitted by the Managing Committee of Gholla N.H.M. High Madrasah (H.S.), Murshidabad pertaining to the appointment of teaching and non-teaching staff in Non-Government recognized aided Madrasah.

The same is pending consideration at the end of the Director of Madrasa Education, West Bengal.

In view of the above, the instant writ petition is disposed of by directing the respondent no. 2 being the Director of Madrasah Education, West Bengal to take steps in terms of the aforesaid communication in accordance with law, at the earliest, but positively within a period of ten weeks from the date of communication of a copy of this order.

The Director of Madrasah Education will be at liberty to seek necessary documents from the office of the District Inspector of Schools (S.E.), Murshidabad and the concerned Madrasah at the time of taking a decision in the matter.

The Director of Madrasah Education shall pass a reasoned order and communicate the same to the petitioners immediately thereafter.

The petitioners are directed to forward a copy of the Memo No. 73/CC dated December 24, 2020 which was issued by the District Inspector of Schools (S.E.),

Murshidabad to the Director of Madrasah Education, West Bengal at the time of communicating the order of this Court.

In the event, the respondent authority is of the opinion that the relief sought for by the petitioners may be granted, then necessary consequential steps shall be taken in accordance with law.

The writ petition stands disposed of.

Urgent photostat certified copy of this order, if applied for, be given to the parties after completion of all legal formalities.

Sh

(Amrita Sinha, J.)