

Ct. 05
Item No.12
22.11.2021
(suvendu)

WPA 15661 of 2021

[Via Video Conference]

**Md. Yousuf Ali Mollah
Vs.
The State of West Bengal & Ors.**

Mr. Debojyoti Deb
Mr. Sanjoy Kumar Das
.....for the petitioner

Mr. Ayan Mitra
.....for the Respondent no. 6

Mr. Sunit Kumar Roy
.....for the Respondent no. 7

Ms. Chama Mukherjee
Mr. Siraj Gooptu
.....for the State

The prayer in the writ petition is for reinstatement of the petitioner in the matter of managing the affairs of the concerned Madrasah. The grievance relates to communication dated 28th March, 2018 by which the petitioner was directed to hand over the Login ID and Password to the Superintendent of Madrasah within a certain date in default of which the petitioner was threatened with necessary action.

Learned counsel for the petitioner submits that the petitioner made several representations to

the concerned District Inspector of Schools, last of which is dated 15th September, 2021.

Learned counsel for the Managing Committee of the concerned Madrasah submits that no representation was made to the Managing Committee after the impugned communication.

Upon hearing learned counsel, this Court finds that there is no prayer in the writ petition for setting aside the communication dated 28th March, 2018. The prayer is simply for a direction on the respondent no. 3, being the District Inspector of Schools (S.E.), South 24 –Parganas, to hand over charge of the concerned Madrasah to the writ petitioner. Substantial time has also passed since the date of impugned communication. However, since the representations made by the petitioner to the concerned District Inspector Schools have not been responded to, the District Inspector of Schools (S.E.), South 24 –Parganas, being the respondent no.3, is directed to respond the representation dated 15th September, 2021 within two weeks from the date of commination of this order.

The petitioner shall also be at liberty to address his grievance separately before the Managing Committee of the concerned Madrasah, being the respondent nos. 6 and 7, within a week

from date. If such representation is made within the time specified here, the said respondents shall pass a reasoned order on such representation within two weeks from the date of the said representation.

It is made clear that both the respondents, being the respondent nos. 6 and 7, as well as the respondent no. 3 shall pass reasoned order upon hearing all concerned parties within the time as stipulated above and the same shall be made available to the petitioner within a week from the date on which such decision is taken.

WPA 15661 of 2021 is disposed of accordingly.

Urgent photostat certified copy of this order, if applied for be given to the parties on usual undertakings.

(Moushumi Bhattacharya, J.)