

24.11.2021.
Court No.13
Item No. 54
ap

**W.P.A. No. 17972 of 2021
(Through Video Conference)**

**Pranab Kumar Das & Ors.
Versus
The State of West Bengal & Ors.**

Mr. Biswaroop Bhattacharya,
Mr. Ali Ahsan Alamgir,
Ms. Riya Das,
Ms. Rabia Khatoon,
Mr. Asif Iqbal.

...For the petitioner.

Mr. Prosenjit Mukherjee,
Ms. Madhurima Sarkar.

...For the Madrasah Service Commission.

Affidavit-of-service filed in Court today be taken
on record.

The writ petitioners are aggrieved by an order
dated 5th October, 2021 passed by the First Appellate
Authority, namely, West Bengal Madrasah Service
Commission.

This Court is of the view that the petitioners
ought to have availed the remedy of a Second Appeal
in terms of the Statute.

In view of the above, if the petitioners file the
second appeal within seven days from date, the same
may be disposed of by the appropriate authority within
a period of thirty days thereof.

To carry out the aforesaid order, the period of
thirty days of limitation, prescribed under the Statute,

shall not be taken into consideration as an exceptional case and without precedent.

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 duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)