

24.02.2022

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W.P.A. 2123 of 2022

Subrata Bhowmick & ors.
Vs.
State of West Bengal & ors.

Mr. Subir Sanyal
Mr. Sakti Pada Jana
Mr. Subhajyoti Das
... for the petitioners

Mr. Arindam Chattopadhyay
Ms. Lipika Chatterjee
... for the State

Mr. Prasenjit Mukherjee
Ms. Madhurima Sarkar
... for the Madrasah Service Commission

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

The petitioners are teachers of separate Madrasahs. All the petitioners were recommended for transfer and were directed to join Abdul Motalib High Madrasah. The petitioners accepted the order of transfer and went to join the said Madrasah but were restrained by the Teacher-in-Charge and the Managing Committee from joining the transferee school.

The petitioners are presently working in the Madrasahs from where they were transferred.

The petitioners have made a further representation before the West Bengal Madrasah Service Commission praying for transferring them to any other Madrasah

which is close to their residence. Applications have been filed by the petitioners before the Secretary of the West Bengal Madrasah Service Commission on 26th June, 2021 and on 20th August, 2021. The petitioners allege that none of the representations has been considered till date.

Learned Advocate representing the West Bengal Madrasah Service Commission submits, upon instruction, that the petitioners were indeed restrained from joining the transferee Madrasah. It has been contended that in the event the petitioners approach for reconsideration of their transfer, necessary steps will be taken by the Commission.

It has been submitted that the West Bengal Madrasah Service Commission has taken steps against the Teacher-in-Charge and the Managing Committee has been superseded and Administrator has been appointed to take care of the institution.

In view of the above, the instant writ petition is disposed of by directing the Secretary, West Bengal Madrasah Service Commission to take steps for consideration of the prayer of the petitioners as appearing in their representations dated 26th June, 2021 and 20th August, 2021 strictly in accordance with law, at the earliest, positively within a period of twelve weeks from the date of communication of this order.

The aforesaid respondent shall pass a reasoned order and communicate the same to the petitioners immediately thereafter.

The learned Advocate for the petitioners is directed to forward a copy of the representations dated 26th June, 2021 and 20th August, 2021 to the aforesaid respondent at the time of communicating the order passed by this Court.

W.P.A. 2123 of 2022 stands disposed of.

Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Amrita Sinha, J.)