

Court No. 24
18.02.2022
(Item No. 113)
(AB)

W.P.A. 2183 of 2022
(via video conference)

Saik Jainal Abedin
VS
The State of West Bengal & Ors.

Mr. Golam Mostafa)
Mr. Tarasankar Samanta
Mr. Samirul Sardar
..... for the petitioner
Mr. Santanu Kumar Mitra
Mr. Mirza Kamruddin
..... for the State

The petitioner was serving as the Siksha Shamprasarak of Gopalpara Madrasah Siksha Kendra. He claims that his service as the Siksha Shamprasarak was extended from time to time and he received honorarium for the period he was in service.

All on a sudden by a communication dated 31st August, 2021 the District Officer, Minority Affairs, Nadia directed the Mission Siksha Shamprasarak of the Siksha Kendra not to release honorarium in favour of the petitioner.

It appears from the order bearing memo No. 172/1(1)-ME dated 4th February, 2021 passed by the Director of Madrasah Education annexed at pages 29 and 30 of the writ petition that the honorarium of the petitioner has not been released as his name did not appear in the DLIT report.

The petitioner, through his learned advocate, filed a representation before the Director of Madrasah Education on 8th January, 2022 praying for releasing his honorarium and alleges that the same has not been considered till date.

As it appears that the representation of the petitioner is pending consideration at the end of the Director of

Madrasah Education, no useful purpose will be served by keeping the writ petition pending.

The writ petition is accordingly disposed of by directing the Director of Madrasah Education, respondent No. 2 to consider the representation filed on behalf of the petitioner by his learned advocate strictly 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 said respondent shall pass a reasoned order and communicate the same to the petitioner immediately thereafter.

The Director of Madrasah Education, if required, may grant an opportunity of hearing to the petitioner as well as the concerned Madrasah Siksha Kendra for the purpose of taking a decision in the matter.

The petitioner is directed to forward a copy of the representation dated 8th January, 2022 and a copy of the order passed by the Director of Madrasah Education on 4th February, 2021 at the time of communicating the order of the Court.

The writ petition stand disposed of.

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

(Amrita Sinha, J.)