

15.09.2022
Item No.268
Ct. No.17
S.A.

WPA 5147 of 2021

Md. Khalilullah Baidya
-vs-
The West Bengal Madrasah
Service Commission & Ors.

Mr. Biswaroop Bhattacharyya
Mr. Golam Mohiuddin
Ms. Puja Mondal
...for the petitioner
Mr. Tapan Mukherjee, sr. adv.
Mr. Prosenjit Mukherjee
Ms. Madhurima Sarkar
...for Madrasah
Service Commission
Mr. Arindam Chattopadhyay
Ms. Lipika Chatterjee
...for the State

After passing of the order on 14.09.2022 i.e. yesterday I am told today when the Chairman of the West Bengal Madrasah Service Commission Md. Golam Ali Ansari is present pursuant to the direction of this court, the petitioner has been recommended to Madarpara High Madrasah (H.S.) in compliance with the order passed by this court on 13.06.2022.

This court is not at all happy with the action of the Madrasah Service Commission though the Chairman has intimated this court that they did not have any vacancy where they could recommend the petitioner in terms of the order passed by this court.

However, I am not going into that question as of now as the grievance of the writ petitioner has already been settled.

Learned advocate for the petitioner has submitted that on 12.09.2022, the District Inspector of Schools (S.E.), South 24 Parganas wrote to the Director of Madrasah Education, West Bengal for payment of an amount of Rs.2,10,331/- for compliance with the direction given in the order dated 13.06.2022 (vide direction no.3) and it has been submitted on behalf of Mr. Mukherjee, learned advocate for the Madrasah Service Commission that the Commission has already written to the Director of Madrasah Education for payment of the said amount in the said paragraph as indicated above and the Director of Madrasah Education will pay the amount of money to the petitioner within a short period.

I hope and expect that within a period of three weeks from date, the money will be paid to the petitioner by the Director of Madrasah Education, West Bengal.

The matter is thus disposed of as allowed.

As the petitioner has been recommended by the Commission on 14.09.2022, the petitioner will join the recommended Madrasah by seven days from date and the Madrasah should issue joining letter to the petitioner by that time. I am also told that the Secretary of the West Bengal Madrasah Service Commission has written to the Secretary to the Government of West Bengal for the Minority Affairs

and Madrasah Education Department for taking steps against Khidirpur Rahamania High Madrasah in compliance with the direction given by this court (vide direction no.4) for withdrawal of recognition of the said Madrasah. I believe that the Secretary to the Government of West Bengal will initiate appropriate action within a period of three weeks from date and the petitioner is directed to intimate this order to the Secretary of the Minority Affairs and Madrasah Education Department of Government of West Bengal.

The recommendation letter issued by the Commission to the petitioner dated 14.09.2022, a letter of the DI of Schools to the Director of Madrasah Education dated 12.09.2022 for payment of money to the petitioner, a letter of the Secretary of the Madrasah Service Commission for giving the petitioner higher scale of pay as he will now be engaged in an Honours Graduate post and the letter of the Secretary of the Commission to the Secretary of Minority Affairs and Madrasah Education Department to the Government of West Bengal are kept on record.

The personal appearance of the Chairman is dispensed with.

(Abhijit Gangopadhyay, J.)