

Item No. 37

02.05.2022
Ct-24

In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

WPA 5366 of 2022
Champa Rani Paul

v.

The State of West Bengal & Ors.

Mr. Debasis Kar
... for the petitioner.

Mr. Prosenjit Mukherjee
Ms. Madhurima Sarkar
... for the MSC.

Mr. A.P.Lahiri
Ms. S.P. Lahiri
... for the State.

The petitioner participated in the recruitment process initiated by the West Bengal Madrasah Service Commission in the year 2013. The name of the petitioner was initially not empanelled.

The petitioner rushed to Court by filing a writ petition being WP 30(W) of 2019 and an order was passed in his favour on January 24, 2019.

Thereafter, another writ petition being WPA 8530 of 2019 was filed by the petitioner and an order was passed in his favour on January 22, 2021.

Challenging the order dated January 22, 2021 passed in favour of the petitioner in WPA 8530 of 2019 an appeal was preferred by the West Bengal Madrasah

Service Commission. The said appeal stood disposed of by an order dated March 11, 2021.

The appointment letter was ultimately issued in favour of the petitioner on August 3, 2021.

The grievance of the petitioner is that the candidates who appeared along with the petitioner in response to the recruitment notification dated December 4, 2013 were already issued letters of appointment in the year 2018. According to the petitioner, she ought to get the same benefit as has been granted in favour of the similarly placed candidates.

The petitioner submits that she ought to be paid all service benefits from the date on which the other candidates who appeared along with her in response to the said notification.

The petitioner ventilated her grievances by a representation before the Chairman as well as the Secretary of the West Bengal Madrasah Service Commission on March 14, 2022 and alleges that the said representation has not been considered till date.

As it appears that the prayer of the petitioner praying for grant of similar benefit is pending consideration at the end of the West Bengal Madrasah Service Commission, accordingly, the writ petition is disposed of by directing the Chairman of the West Bengal Madrasah Service Commission being the

respondent no. 4 herein to take a decision with regard to the representation filed by the petitioner strictly in accordance with law, at the earliest, but positively within a period of eight 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 writ petition stands disposed of.

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

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(Amrita Sinha, J.)