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18.02.2022
d.p.

**In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

**W.P.A 10093 of 2021
(Via Video Conference)**

**Naznin Sultana
-versus
State of West Bengal & Ors.**

**Mr. Ekramul Bari,
Mr. Sk. Imtiaj Uddin.
...For the Petitioner.**

**Mr. Nadeem Sulaiman.
...For the Madrasah Board.**

**Name not given
...For the Madrasah.**

The petitioner is serving as an assistant teacher of Sagar Moniruddin High Madrasah. She joined her service on 6th August, 2018. Her appointment was approved by the District Inspector of Schools (S.E.), South 24-Parganas by a memo dated 3rd October, 2018.

The grievance of the petitioner is that the Madrasah is not taking any steps for confirmation of her service. According to the petitioner, the Managing Committee of the Madrasah has not adopted any resolution with regard to the confirmation of her service. Till such time a resolution is adopted and forwarded to the District Inspector of Schools (S.E.), the letter of confirmation cannot be issued in her favour.

It appears from the documents annexed to the writ petition that the petitioner has approached the

Madrasah on a number of occasions praying for confirmation of her service. None of them has been answered by the Madrasah till date.

Learned advocate appearing for the Madrasah submits that as the appointment of the petitioner has been approved by the District Inspector of Schools (S.E.) on 3rd October, 2018 and the post in which the petitioner is serving is a permanent post, accordingly, no further letter of confirmation is required to be issued in her favour.

The Court cannot accept the contention of the Madrasah.

According to law, a formal letter of confirmation is required to be issued in favour of the teacher after her service is confirmed.

In the present case, though the post in question where the petitioner has been appointed is a permanent post, nevertheless a formal letter of confirmation is required to be issued in favour of the petitioner.

In view of the above, the Madrasah is directed to take prompt necessary steps for adopting resolution for confirmation of the service of the petitioner within four weeks from date.

The Madrasah shall take steps to forward the resolution of the Managing Committee to the District Inspector of Schools (S.E.), South 24-Parganas immediately thereafter who will take necessary consequential steps in the matter, at the earliest.

The writ petition stands disposed of.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)