

S/L 54(ML)
05.07.2022
Court. No. 19
GB

WPA 10238 of 2022

Nur Islam Chowdhury
VS
The State of West Bengal & Ors.

*Mr. Navanil De,
Mr. Aranya Saha.*

...for the Petitioner.

*Mr. Raja Saha,
Ms. Rupsha Chakraborty.*

...for the State.

*Mr. Goutam Mustafa,
Mr. T.S. Samanta.*

...for the Respondent No.5.

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

The petitioner alleges inaction of the Officer-in-Charge, Kaliyaganj Police Station. The petitioner claims to be the donor of a Madrasah, of which the respondent no.5 is the teacher-in-charge. According to the petitioner, the respondent no.5 illegally removed some building materials belonging to the Madrasah without any authority. Accordingly, the petitioner lodged a complaint with the Inspector-in-Charge, Kaliyaganj Police Station, inter alia, stating that on February 17, 2022 at about 7 p.m. the teacher-in-charge was seen to be removing some bricks and other rubbish from the compound of the Madrasah. It is alleged that the police authorities, despite such complaint, did not take any steps.

Mr. Mustafa, learned advocate appearing on behalf of the respondent no.5 submits that the Madrasah is under the management of an administrator. That by a resolution dated February 15, 2022 the administrator had directed the

teacher-in-charge to remove the rubbish/materials from the compound in order to ensure smooth running of the Madrasah. The old building of the Madrasah had been reconstructed and the building materials and wastes had been heaped up in a corner. The same resulted in pollution and the school compound was getting dirty. Under such circumstances, the administrator found that the teacher-in-charge had no choice, but to clean the Madrasah premises by removing the materials. Such decision was taken in consultation with the DOMA, Uttar Dinajpur.

Under such circumstances, the Court does not find that commission of any offence had been disclosed by the petitioner. Hence, the writ petition is disposed of without any orders. The resolution and the decision of the administrator, are kept on record.

Accordingly, the writ petition is disposed of.

However, there will be no order as to costs.

All the parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)