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S/L

25.08.
2022
Ct. No.17

WPA 11475 of 2022

Naznin Sultana
Vs.
The State of W. B. & Ors.

Mr. S. N. Arefin
Ms. Saswati Chatterjee
Mr. Rahul Singh
.....For the Petitioner
Mr. Prosenjit Mukherjee
Ms. Madhurima Sarkar
.....For the Madrasah Service
Commission
Mr. Jahar Dutta
Mr. Bipin Ghosh
.....For the State
Mr. Gouranga Kumar Das
.....For the Respondent Nos. 8 and
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The petitioner alleges that as he did not get the confirmation letter, he could not apply for the general transfer initiated by the West Bengal Madrasah Service Commission. The last date of application was 30th June, 2021. The petitioner applied before the District Inspector of Schools on 5th March, 2021 as he did not get it. He filed the writ application on 24th April, 2021 and it was taken up on 18.02.2022 whereby this court directed the Madrasah Service Commission for adopting resolution for confirmation of the service of the petitioner within four weeks from the date of the order (18.02.2022). The District Inspector of Schools (S.E.), South 24 Pgs directed the

Headmaster of Sagar Moniruddin High Madrasah to issue confirmation letter in favour of the petitioner treating the matter as most urgent. The Secretary of the said Madrasah issued the confirmation letter to the petitioner on 12th May, 2022. By this time the petitioner got it on 6th June, 2022. The time for application of transfer as has been indicated above expired on 30th June, 2021. Therefore, the petitioner does not have a case against any of the parties. It is her delay and laches for which she is deprived of her transfer.

Yesterday on the basis of misleading submission I called the Secretary and the Headmaster of the Madrasah Service Commission and today after getting assistance from Mr. Mukherjee, learned advocate appearing on behalf of the Madrasah Service Commission, I find that they do not have any laches in issuing the confirmation letter.

Hence, I impose a cost of Rs.2,000/- upon the petitioner to be paid to the Headmaster and to the Secretary of the school in equal shares within a period of two weeks from date.

This matter is dismissed.

Personal appearance of the Secretary and the Headmaster is dispensed with.

(Abhijit Gangopadhyay, J.)

