

Court No. 22
06.9.2022
(Item No. 25)
(AB)

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
Appellate Side

W.P.A. 14979 of 2022

Sorworddi Mondal & Ors.
VS
The State of West Bengal & Ors.

Mr. Anisur Rahaman
..... for the petitioners
Sk. Md. Galib
Mr. Gourab Das
..... For the State

The petitioners claimed to have been engaged as a Teaching Staff of various organizing Madrasahs within the District of Murshidabad on the basis of resolutions adopted by the respective Managing Committees.

The petitioners contend that in the year 2008, the State Government introduced a policy to convert existing organizing Madrasahs to Madrasah Shiksha Kendra and/or Madhyamik Shiksha Kendra under the Administrative Control of Minority Affairs and Madrasah Education Department. In terms of such policy, the petitioners of the Madrasahs applied for such conversion contending that they have the requisite eligibilities in this regard. Petitioners claimed that their Madrasahs were approved as Madrasah Shiksha Kendra.

In the light of the above, a representation dated April 5, 2022, **Annexure P-13** to the writ petition was submitted, inter alia, before the second respondent.

The grievance of the petitioners that, the said representation is still pending. Such grievance is sought to be ventilated through this writ petition.

Considering the submissions made by the learned counsel for the appearing parties and on perusal of records, it appears to this Court that, justice will be sub-served, if the said representation is directed to be disposed of by the appropriate respondent authority.

Accordingly, the second respondent is directed to consider and dispose of the said representation dated April 5, 2022, **Annexure P-13** to the writ petition after giving hearing notices of at least seven days prior duly to the authorized representative of the petitioners and upon giving an opportunity of hearing to such authorized representative of the petitioners and then to pass a reasoned decision/order in accordance with law. The petitioners will also be at liberty to attend the hearing individually along with their authorized representative.

The entire exercise as directed above shall be carried out and completed by the second respondent within a period of six weeks from the date of communication of this order and the second respondent then shall communicate his reasoned decision/order to the said authorized representative of the petitioners within a further period of two weeks

from the date of the said reasoned order/decision to be passed.

In the event, the said decision/order goes in favour of the petitioners, the respondent authority shall give effect thereto and to take all necessary consequential steps in accordance with law as expeditiously as possible.

It is made clear that, this Court has not gone into the merits of the claims of the petitioners. The parties will be at liberty to urge whatever points available to them before the hearing authority.

Since affidavits are not called for the allegations made in the writ petitions are deemed not to have been admitted by the respondents.

On the above terms, this writ petition being **WPA 14979 of 2022** stands disposed of.

There shall, however, be no order as to costs.

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

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(Aniruddha Roy, J.)