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Ct. 18
21.11.2022

W.P.A. 22156 of 2022

Subrata Chakraborty & Anr.
Vs.
The State of West Bengal & Ors.

Mr. Suman Chattopadhyay,
Mr. Bidhu Bhusan Dutta ... For the petitioners.

Sk. Md. Galib,
Mr. Kapil Guha ... For the State.

The petitioners are claiming to be the Teachers of Sarendra Muslim Minority Junior High School (co-ed), District – Hooghly. The petitioners are praying recognition of the said School as the Government aided School.

Learned advocate for the petitioners submits that a representation was made to the concerned authority for declaration of the minority status of the said School under Article 30 of the Constitution of India and the learned Single Judge of this Court in **W.P. 9791(W) of 2015** had directed the West Bengal Board of Secondary Education to consider the said representation vide order dated December 16, 2015 but the said has not been considered till date.

Md. Galib learned advocate for the State submits that unless the School is recognized by the Board question of declaring the Miniority Status of the said

School does not arise at all, he files a photocopy Memorandum of Government of West Bengal bearing **Memo. No. 269/Law/Se** dated **November 16, 2022** wherefrom it appears that the policy of the State Government is not to recognize any institution seeking financial aid.

The prayer of the petitioners for declaration of the Minority Status of the said School under Article 30 of the Constitution of India is misconceived inasmuch as the School has not yet been recognized by the Board.

In view of the Policy of the Government of West Bengal as it appears from the aforementioned memorandum, the prayer of the petitioners for recognition of the said School with financial aid cannot be entertained, in consequence thereof the writ petition fails, accordingly WPA 22156 of 2022 is dismissed without any order as to costs.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Biswajit Basu, J.)