

20-12-2022
ct no. 22
Sl.64
sp

WPA 26975 of 2022

Md. Nurul Islam

-Versus-

The State of West Bengal & Ors.

Sk. Humayan Reza

...for the petitioner

Mr. Bhaskar Prasad Vaisya,
Mr. Suman Dey

...for the State

Affidavit of service filed in Court today, is taken
on record.

The petitioner is the Secretary of **LK Madrasah
Siksha Kendra**, District – **Birbhum**. On November
23, 2015, a representation was submitted before the
respondent no.3 with a prayer for upgradation of the
candidates from the post of **Non-teaching staff** to
Siksha Samprasarak. The said representation is still
pending for consideration.

Mr. Suman Dey, learned advocate appearing
for the respondents.

Considering the facts pleaded in the writ
petition and the submission made on behalf of the
petitioner and also upon perusal of the materials on
record, to subserve justice, the respondent no. 3 is
directed to consider the said representation of the
relevant Madrasah authority dated November 23,

2015, **Annexure P-1** to the writ petition upon giving at least 7 days prior hearing notice to the petitioner and after giving him an opportunity of hearing, shall decide the issue with the reasoned order/decision.

The entire exercise as directed above, shall be carried and out completed by the respondent no.3 positively within a period of 6 weeks from the date of communication of a copy of this order by the petitioner.

The respondent no.3 shall communicate its reasoned decision to the petitioner within a further period of 2 weeks from the date of the said reasoned order to be passed.

It is made clear that this Court has not gone into the merit of the claim of the petitioner in any manner. All points are kept open to the petitioner to urge before the respondent no.3 by relying upon whatever records and documents give wishes to rely upon.

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

In the event, the reasoned decision goes in favour of the petitioner, the relevant authority shall take all further and consequential steps as expeditiously as possible.

It is further made clear that this order shall not create any equity or right in favour of the

petitioner and/or the relevant Madrasah, if it is not eligible to receive its claim strictly in accordance with law.

On the above terms, this writ petition, **W.P.A. 26975 of 2022** stands disposed of without any order as to costs.

(Aniruddha Roy, J.)