

24.08.2023
Item No. 8
Crt.No.22
b.r.

WPA 9653 of 2018
CAN 5182 of 2018

Kantirpa N.K. Sr. Madrasah (Fazil) & Anr.
-vs-
The State of West Bengal & Ors.

Mr. Prosenjit Mukherjee
Mr. Nirmalya Kumar Das
Ms. Madhurima Sarkar
..... for the petitioners

Mr. Nadeem Suleman
.... For the Madrasah Board.

The previous order speaks for itself.

Today, the writ petition appeared under the heading **“For Dismissal”**.

Mr. Prosenjit Mukherjee, learned advocate appears for the petitioners.

Mr. Nadeem Suleman, learned advocate appears for the respondent no. 4.

At the invitation of the petitioners and on the suggestion of the parties, this order is being passed.

Challenging a selection process, in respect of **Kantirpa N.K. Sr. Madrasah (Fazil), District- Uttar Dinajpur** this writ petition. An interim order was passed on **September 14, 2018** in this writ petition by a co-ordinate Bench, *inter alia*, observing as follows :-

“ Accordingly, the operation of the Annexure P/8 for the reasons mentioned in

my order dated July 16, 2018 shall remain stayed subject to the result of the writ petition and the proceedings before the Hon'ble Supreme Court.”

Learned advocate for both the parties appearing today submit that the proceeding before the Hon'ble Supreme Court challenging the *vires* of the **West Bengal Madrasah Service Commission Act, 2008** has reached its finality by a judgement and order dated **January 6, 2020** passed by the Hon'ble Supreme Court holding the relevant Act to be *intra vires*.

In view of the above, learned advocate for the parties submit that no further cause survives in this writ petition, save and except that the selection process of the relevant Madrasah in terms of the advertisement dated **June 18, 2018** as mentioned in prayer 'e' to the writ petition will have to take place **strictly in compliance with the provisions of the said Act of 2008**.

With the above observation, this writ petition **WPA 9653 of 2018** stands **disposed of** without any order as to costs.

(Aniruddha Roy, J.)