

Item-4. 06-09-2023

MAT 987 of 2022
CAN 1 of 2022

^{sg} Ct. 8

The West Bengal Madrasah Service Commission & Anr.
Versus
Akmol Hassain & Ors.

Mr. Partha Sarathi Bhattacharya, Sr. Adv.
Mr. Prosenjit Mukherjee, Adv.
Ms. Madhurima Sarkar, Adv.
...for the Madrasah Commission

Mr. Kamalesh Bhattacharya, Sr. Adv.
Mr. Tapas Chattejee, Adv.
...for the writ petitioners

Sk. Md. Galib, Adv.
Ms. Tanwishree Mukherjee, Adv.
...for the State

1. We have heard the learned Counsel for the appellants.
2. We are convinced from the record that the learned Single Judge was justified in allowing the claim of the petitioners as they have desirable qualification and they should have been given preference over the candidates who do not have desirable qualification. The candidates appointed are admittedly untrained.
3. We also could not receive any satisfactory reply from the appellants for exclusion of the writ petitioners in not giving them preference.
4. Under such circumstances, we do not find any reason to interfere with the order passed by the learned Single Judge on 14th June, 2022. However, we extend the time to comply with the order passed by Justice Abhijit Gangopadhyay by 10 days from date.
5. Time to comply with the order of the Commissioner is peremptorily extended by two weeks from date.

6. In view of the above, the appeal and the application stand dismissed. However, there shall be no order as to costs.

(Uday Kumar, J.)

(Soumen Sen, J.)