

157 02.8.2023

Ct-30

ar

MAT 735 of 2018
with
I.A No. CAN 2 of 2019(Old CAN No. 1234 of 2019)
CAN 4 of 2022

Bankim Chandra Barman
Vs.
The State of West Bengal & Ors.

Ms. Lina Majumder
... For the Appellant

Mr. Shamim Ul Bari
... For the State

1. The supplementary affidavit disclosing the Memo no.252/OM-5-ME/21 (Part-I) dated 20.02.2023 by which the application for extension of approval of the appellant was considered along with the 27 other institutions is taken on record. The name of Madrasah is Chottogarajhora Hochain Ahamadia Madrasah Siksha Kendra.

2. It appears that the period of extension was not specifically mentioned and data was not furnished by the DOMA authority.

3. Under such circumstances, we direct the District Officer, Minority Affairs to furnish all necessary details to the Director of Madrasah Education, West Bengal in order to enable the said Director to decide the issue afresh on consideration of the data to be furnished by the DOMA.

4. The District Officer, Minority Affairs, Coochbehar, shall forward all necessary data to the Director of Madrasah Education, West Bengal within one week from date and upon receiving the required data, the Director of Madrasah Education, West Bengal, shall consider the period of extension, based on the details to be furnished by DOMA, within three weeks thereafter after giving an opportunity of hearing to the appellant and other necessary parties.

5. In view of such subsequent event, we set aside the order passed by the learned Single Judge and direct the Director of Madrasah Education, West Bengal to decide the matter afresh based on the recommendation made by DOMA after hearing all the parties.

6. In view of the above, the appeal is accordingly disposed of.

7. In view of disposal of the appeal CAN 1234 of 2019 and CAN 4 of 2022 are also disposed of.

(Uday Kumar ,J.)

(Soumen Sen, J.)

