

08 05.01.2023  
Sc Ct. no.22

**WPA 14981 OF 2022**

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Md. Monsur Ali

Vs.

The State of West Bengal & Ors.

Mr. Md. Manuwar Ali  
Ms. Moumita Karmakar.

....For the Petitioner

Mr. Jahar Dutta  
Mr. Bipin Ghosh.

.....For the State

Mr. Subhrangsu Panda  
Ms. Mithu Singha Mahapatra.

....For the Respondent  
No.3

The order impugned is dated April 18, 2022 passed by the respondent no.3.

The petitioner contends that by virtue of an appointment dated March 19, 2020, **Annexure-P5** to the writ petition, the petitioner has been working as a **Teacher-in-Charge at Kabilpour D Q Senior Madrasah (Kamil), District – Murshidabad** on the terms and conditions mentioned therein. He is willing to receive the appointment as an Assistant Superintendent of the said Madrasah.

On such issue a reasoned decision was rendered by the respondent no.3, **Annexure-P7** to the writ petition.

The petitioner now challenges the said impugned decision of April 18, 2022 on the ground that he would on one hand receive an appointment for Assistant Superintendent of the said Madrasah and on the other

hand he wish to continue as the Teacher-in-Charge in terms of his appointment dated March 19, 2020, ***Annexure-P5*** to the writ petition.

After considering the rival submissions made on behalf of the parties and on perusal of the materials on record, this Court is of the firm view that the petitioner cannot continue simultaneously by holding the two posts at a time.

Inasmuch as on a close scrutiny of the said impugned order dated April 18, 2022 this Court is also of the view that there is no infirmity. The same is a well reasoned and well versed order. The respondent no.3 had considered all the factors while deciding the issue and passed the said impugned order dated April 18, 2022.

For the foregoing reasons and discussions the said impugned order dated April 18, 2022 is not interfered with and the same stands and affirmed.

Resultantly, this writ petition ***WPA 14981 of 2022*** being devoid of any merit stands dismissed, without any order as to costs.

**(Aniruddha Roy, J.)**