

24.08.2023

(S/L-57)

Ct.-18

(P. Jana)

W.P.A. 20206 of 2023

Md. Yousuf Ali & ors.

-Vs-

The State of West Bengal & Ors.

Mr. Gangadhar Das,
Mr. Tanmoy Chattopadhyay,
.... For the Petitioners.

Mr. Pinaki Bhattacharyya,
Mr. Subhayu Das, ... For the State.

Mr. Nadeem Sulaiman,
...For the Madrasah Board.

Affidavit of service filed on behalf of the petitioners
be kept with the record.

The petitioners are the guardians of the students
of Batna J.M.O. Senior Madrasah and are willing to
participate in the ensuing election of the Managing
Committee of the said school.

The petitioners are praying setting aside of the
notice dated August 23, 2023 issued by the Teacher-in-
Charge of the Institution thereby extending last date for
submission of nomination in the said election on the
ground that the Teacher-in-Charge has no authority to
issue such notice.

Mr. Sulaiman, learned counsel for the Madrasah
Board, submits that in terms of the Rule 33 of the
**MANAGEMENT OF RECOGNISED NON-GOVERNMENT
MADRASAHS (AIDED AND UNAIDED) RULES, 2002**,
all cases or disputes in the matter for holding election
is required to be referred to the West Bengal Board of
Madrasah Education.

In view of the existence of such a provision, the dispute sought to be raised by the petitioners is referred to the Board for decision.

The date of election since is scheduled on **August 26, 2023** it is expected that the Board will take immediate steps into the matter.

WPA 20206 of 2023 is **disposed of** with the above terms without any order as to costs.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

Parties to act on the server copy of this order duly downloaded from the official *website* of the Court.

(Biswajit Basu, J.)