

S/L 76
31.01.2023
Court. No. 12
Sourav

WPA 20425 of 2015

**Sk. Hasibur
Vs.
The State of West Bengal & Ors.**

*Mr. Biswarup Biswas
Md. Moynu Sk.*

...for the petitioner.

Mr. Biswarup Biswas, learned advocate for the petitioner is present and he has handed over a copy of the notice dated 21.11.2022 as served upon the learned advocate for the respondents.

None appears on behalf of the respondent/State. Accordingly, this Court proposes to hear out the instant writ petition in absence of the learned advocate for the State.

In the instant writ petition, the grievance of the writ petitioner is that though the Selection Committee of High Madrasah prepared a panel of three candidates after taking interview where the present writ petitioner was placed in the first position and the said Selection Committee submitted the panel to the Managing Committee of the High Madrasah who after approval of the same, forwarded the said panel along with all relevant papers to the respondent no. 4, i.e., the Additional District Inspector of Schools (S.E.), Uluberia Sub-Division, District- Howrah but for the reason best known to him the above named respondent no. 4 had not taken any decision with regard to grant of approval of such panel though he had received the same long back.

In view of such, learned advocate for the writ petitioner submits before this Court that a writ of mandamus

be issued in terms of the prayers as made in the present writ petition. Perused the entire materials as placed before this Court including the Annexure P-8 at page no. 24 i.e., the photocopy of the panel-sheet for the interview of appointment of Class-IV staff in the relevant Madrasah. Admittedly, sufficient materials have been placed to substantiate that there was inordinate delay on the part of the respondent no. 4 to finalize and/or to take an appropriate decision for finalizing the said panel.

Since, none appears on behalf of the State in spite of notice, this Court proposes to dispose of the instant writ petition in the manner indicated hereunder. It is thus directed that the respondent no. 4, i.e., the Additional District Inspector of Schools (S.E.), Uluberia Sub-Division, District- Howrah shall take an appropriate decision in accordance with law for approval of the panel prepared for the post of Group – D Staff of Khaskhamar High Madrasah, Uluberia, Howrah positively within a month from the date of communication of this Order. The respondent no. 4 is further directed to communicate its decision to all the incumbents who are in the panel including the present writ petitioner as well as High Madrasah authority under registered post with Acknowledgement Due.

It is made clear that the time limit as fixed by this Court is mandatory.

Parties are directed to act on the server copy of this order.

With the aforementioned observation, the instant writ petition being **WPA 20425 of 2015** is disposed of.

Urgent photostat certified copy of this order, if applied for, be given to the parties, upon compliance of necessary formalities.

(Partha Sarathi Sen, J.)