

17.10.2023
Item No.15
Court No.18
AJ.

W.P.A. 21562 of 2023

**The Managing Committee, Contai
Rahamania High Madrasah (H.S.) & Anr.
-Vs-
The State of West Bengal & Ors.**

Mr. Soumen Kumar Dutta,
Mr. Sabyasachi Bhattacharjee.
.....for the petitioners.

Ms. Iti Dutta.
.....for the State.

Mr. Nadeem Sulaiman.
.....for the Madrasah Board.

Mr. Anindya Sundar Das,
Mr. Shaunak Ghosh,
Mr. Sukanta Das,
Mr. Ratul Deb Banerjee.
.....for the respondent no.7.

Affidavit of service and the supplementary affidavit to the writ petition filed on behalf of the petitioners be kept with the record.

The Managing Committee of Contai Rahamania High Madrasah (H.S.) and its Secretary are the petitioners of the instant writ petition.

Some of the guardians of the students of the said Madrasah have lodged a complaint alleging that the Managing Committee of the said Madrasah has committed financial irregularities with regard to Government fund and the fund received from the students for the period from May 27, 2013 to September 08, 2022.

The West Bengal Board of Madrasah Education, the respondent no.2 herein by the impugned notice bearing Memo No. 189/Law/Hg/120/2022 dated August 16, 2023 has decided to conduct a hearing on the said allegation.

Mr. Dutta, learned advocate for the petitioners submits that the Board is re-agitating a dead issue inasmuch as an enquiry was conducted on the similar allegation but could not be sustained.

The Board has only issued a hearing notice. It is always open for the petitioners to take any point in the said hearing including the necessity of such hearing, the challenge to the impugned notice is, therefore, prematured.

Accordingly, WPA 21562 of 2023 is dismissed without any order as to costs.

This Court is informed that due to the pendency of the instant writ petition the scheduled date of the said hearing has been deferred. The Board is directed to conclude the notified hearing as expeditiously as possible.

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

(Biswajit Basu, J.)

