

04 11.12.2023
rkd Ct.15

W.P.A. 27250 of 2023

Kutubuddin Molla & Ors.

-vs-

The State of West Bengal & Ors.

Mr. Samim Ahammed,
Mr. Saloni Bhattacharya,
Mr. Arka Ranjan Bhattacharya

....for the petitioners.

Mr. Shanit Sanya,
Ms. Priyankshi Banerjee

....for the respondent nos. 5 & 6.

Mr. Shamim ul Bari,
Mr. Sayan Dutta

....for the State.

Today Furfura High Madrasah (HS) District-Hooghly is represented by learned advocates who submits that the authority of Madrasah was under a misconception that in view of further extension of life of Managing Committee it is required to defer the election. Under such misconception vide notice dated 3rd December, 2023 the election procedure which was initiated vide another notice dated 11th September, 2023, has been postponed indefinitely. However, it is submitted that if Court directs to continue the election programme upon rescheduling the same the said Madrasah has no difficulty in taking steps in order to complete the election for reconstitution of Managing Committee.

Petitioners and State respondents are also

represented today and they have also submitted that the election programme which was intimated vide notice dated 11th September, 2023 needs to be rescheduled which would enable the said Madrasah Authority to complete the election.

Accordingly, the teacher-in-charge of the said Madrasah is directed to issue a notice by tomorrow, 12th December, 2023, intimating that the last date for submission of nomination papers shall be on 14th December, 2023, scrutiny of nomination papers shall be on 15th December, 2023 and last date of withdrawal of nomination papers shall be on 18th December, 2023. It is also to be notified vide notice dated 12th December, 2023 by the teacher-in-charge that the date of the election shall be on 31st December, 2023.

After the election is conducted on 31st December, 2023 the teacher-in-charge of the said Madrasah is directed to take requisite steps for reconstitution of the Managing Committee expeditiously by holding Officer Bearers' election in accordance with norms.

Officer-in-charge, Jangipara Police Station District-Hooghly being the added respondent no.8 is directed to cooperate with the authorities of Furfura High Madrasah (HS) and if request is made

on behalf of the said Madrasah necessary police personnel shall be deputed for ensuring free and fair election on 31st December, 2023.

The other allegations as contained in the writ petition are deemed not to have been admitted by the Madrasah Authority since no affidavit is called for.

With the aforesaid direction the writ petition stands disposed of.

However, there will be no order as to costs.

Parties shall act on server copy of the order downloaded from the official website of this Court without insisting on supply of certified copy.

(Saugata Bhattacharyya, J.)