

SI No.45
06.03.2023.
SB-II

**Calcutta High Court
In the Circuit Bench at Jalpaiguri
Appellate Jurisdiction**

**WPA 372 of 2023
Rukshana Parvin
-versus
The State of West Bengal & Ors.**

Mr. Shahan Shah
... for the petitioner.

Mr. Bikramaditya Ghosh
Ms. Bedashruti Bose
... for the State.

The name of the petitioner appeared in the DLIT report filed in terms of the Memo No. 1924(21)ME dated September 22, 2017 of the Director of Madrasah Education.

Despite her name appearing in the DLIT report, her prayer for approval as organizing staff of the Senior Madrasah has been rejected by the impugned communication dated August 26, 2022.

The petitioner is aggrieved by the same.

It has been submitted that in terms of the Memo No. 1361-ME dated November 5, 2019 the service of the petitioner is liable to be approved.

Learned advocate representing the State authorities submits that for clearing the confusion of the impugned communication as regards the date of appointment and the age of the petitioner at the time of appointment apropos the memo dated November 5, 2019, the matter may be remanded back to the Director

of Madrasah Education, Government of West Bengal for reviewing the issue.

In view of the above, the respondent no. 2 is directed to revisit the issue of approval of the petitioner on the basis of the documents and the relevant Government Orders/Memoranda/Circulars governing the field.

An opportunity of hearing be given to the petitioner, the institution in question and any other interested party prior to arriving at a final decision in the matter.

A reasoned order shall be passed by the aforesaid respondent positively within a period of twelve weeks from the date of communication of this order.

The impugned communication dated August 26, 2022 is set aside.

The writ petition stands disposed of.

Urgent certified photo copy of this order, if applied for, be supplied to the parties upon compliance of all legal formalities.

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(Amrita Sinha, J.)