

AD-33
Ct No.09
11.03.2024
TN

WPA No. 3793 of 2024

Karimullah Lasker and another
Vs.
The State of West Bengal and others

Mr. H. Rahaman,
Mr. Shahansah

.... for the petitioner no. 1s

Mr. Avijit Sarkar,
Mr. Supriya Majumder

.... for the State

- 1.** The matter is of extreme urgency and is being taken up. The petitioner no. 1 was not allowed to sit in the second semester in the course of MBBS for which he sought educational loan which was refused by the impugned order dated September 15, 2022 by the respondent no.3, that is, the West Bengal Minorities Development & Finance Corporation.
- 2.** Despite service, none appears for the respondent no. 3 although the State and the petitioner no. 1 are represented through counsel.
- 3.** From the impugned order annexed at page-20 of the writ petition, it transpires that the same merely disclosed that educational loan sanctioned under the Office Memo No. MDC/ELS-03/397 dated January 06, 2021 in favour of the petitioner no. 1 stands cancelled “due to administrative ground”. Such ground is unintelligible.

4. Accordingly, since the respondent no. 3 chooses to remain absent despite service, the matter is taken up for hearing.
5. WPA No. 3793 of 2024 is allowed, thereby setting aside the impugned order dated September 15, 2022 for non-disclosure of reasons.
6. The respondent no.3 is directed to consider the application of the petitioner no. 1 for educational loan afresh upon giving an opportunity of hearing to the petitioner no. 1 within three weeks from the date of communication of this order to the respondent no.3. Upon such consideration, the respondent no.3 shall in writing communicate a reasoned order on the decision taken on the petitioner no. 1's application to the petitioner no. 1 immediately thereafter.
7. In the event the petitioner no. 1 is further aggrieved with the said reasons, the petitioner no. 1 will be at liberty to challenge the same afresh.
8. There will be no order as to costs.
9. Urgent photostat certified copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Sabyasachi Bhattacharyya, J.)