

29.02.2024
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PG/KS
Ct. No.1

W.P.A.(P) 85 of 2024
Md. Kousir Ali & Anr.
Versus
The State of West Bengal & Ors.

Mr. Uttam Kumar Bhattacharya
Mr. Koustav Mishra

.....for the petitioners

Mr. Biswabrata Basu Mallick
Ms. Parna Roy Chowdhury

.....for the State

1. The petitioners by way of this public interest litigation seeks a direction upon the respondents not to grant further extension to the respondent no.9 in the post of Director of Madrasah Education, Government of West Bengal.
2. The learned Government Counsel appearing for the State raises an objection regarding maintainability of this writ petition as a public interest litigation since, the allegations are directed against a private person and the petitioners have not in any manner established as to how their constitutional rights have been affected.
3. Be that as it may, as could be seen from the communications sent by the Deputy Inspector General of Police, Anti Corruption Branch, West Bengal dated 23rd February, 2023, the complaint given by the petitioners has already been forwarded to the Secretary,

Government of West Bengal, Minority Affairs and Madrasah Education Department.

4. Since the matter has already been forwarded only on 23rd February, 2023, the petitioners have to await a decision to be taken by the concerned department. Therefore, there will be a direction to the Secretary, Government of West Bengal, Minority Affairs and Madrasah Education Department to look into the complaint and consider the same and take a decision and communicate the same to the writ petitioners within a period of eight weeks from the date of receipt of server copy of this order.
5. We make it clear that we have not gone into the merits of the allegations made in the writ petition.
6. With the above observations/directions, writ petition stands disposed of.
7. No costs.
8. Urgent photostat certified copy of this order, if applied for, be furnished to the parties expeditiously upon compliance of all legal formalities.

(T.S SIVAGNANAM)
CHIEF JUSTICE

(HIRANMAY BHATTACHARYYA, J.)