

15 03.07.2024
rkd Ct.18

W.P.A. 16726 of 2024

Sk. Rezaul Karim

-vs-

The State of West Bengal & Ors.

Mr. Anindya Bose,
Mr. Golam Mahiuddin,
Mr. Mridul Biswas

....for the petitioner.

Mr. Gourav Das,
Ms. Sreyasree Choudhury

....for the State.

Mr. Nadeem Sulaiman

....for the Madrasah Board.

Affidavit-of-service filed on behalf of the
petitioner is taken on record.

Petitioner is a Superintendent of Pirnagar
Nabobiya Senior Madrasah, District-Hooghly, who
according to the learned advocate representing the
petitioner, was prevented under duress from
continuing his service as Superintendent of the
said Madrasah.

Allegation has been leveled against
respondent nos.12 & 13 who according to the
petitioner prevented him with the help of local
thugs from discharging his duty as Superintendent
of the aforesaid Madrasah. Petitioner prays for
necessary direction which would enable the
petitioner to resume his duty in the said Madrasah

or transfer the petitioner to another Madrasah with the assistance of the concerned respondent authorities.

During course of hearing notice of this Court has been drawn to an order dated 29th December, 2023 passed by a coordinate Bench on the writ petition being WPA 29216 of 2023 which was filed by the petitioner. Vide said order dated 29th December, 2023 the coordinate Bench directed the Director of Madrasah Education being the respondent no.3 to take decision on the representation of the petitioner dated 7th December, 2023 and other necessary directions were also passed as contained in the said order dated 29th December, 2023.

More or less the grievance which has been ventilated in this writ petition is identical to the grievance which is required to be considered by the Director of Madrasah Education in terms of the order dated 29th December, 2023. It has been submitted by the learned advocate representing the petitioner that till date no decision has been taken by the Director of Madrasah Education.

Since already an order has been passed by the coordinate Bench on 29th December, 2023 no further direction need be passed till decision is

taken by the Director of Madrasah Education in terms of order dated 29th December, 2023.

If ultimately the decision of the Director of Madrasah Education which is to be taken in terms of the order of the coordinate Bench dated 29th December, 2023 goes against the petitioner, the petitioner shall be at leave to take steps in accordance with law.

With the aforesaid observation, the writ petition stands disposed of.

However, there shall be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be given to the learned Advocates for the parties on the usual undertakings.

(Saugata Bhattacharyya, J.)