

W.P.A. 18504 of 2024

**Mst. Magferatun Nesha
Vs.
The State of West Bengal & Ors.**

Mr. Saibal Acharya
Mr. Shahan Shah
Mr. Aninda Bhattacharya
...for the Petitioner

Mr. Shamim ul Bari
Mr. Ranajit Roy
...for the State

Mr. Nadeem Sulaiman
...for the Madrasah Board

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

The writ petition is heard in presence of the learned advocates representing the petitioner, West Bengal Board of Madrasah Education and the State-respondents.

By presenting this writ petition, *inter alia*, petitioner has prayed for regularization of her service as matron of Dogachi Nazrul Hoque Memory Junior Girls High Madrasah District-Murshidabad. However, during course of hearing petitioner could not satisfy the query of the Court whether she was appointed as matron in the aforesaid madrasah following the extant recruitment rules. At best the engagement of the petitioner as matron can be termed as an arrangement made by the madrasah authority without following the provisions relating to such

engagement. In the post on which petitioner was appointed as matron does not appear to be sanctioned by the concerned State-respondents and no prior permission is also placed before this Court.

In view of aforesaid scenario it transpires that no enforceable right accrues in favour of the petitioner warranting protection on issuance of mandamus.

In this regard reliance is placed on the judgment of the Hon'ble Supreme Court reported in **2006 (4) SCC 1 [(State of Karnataka Vs. Uma Devi (3))]**

Hence, the writ petition stands dismissed.

Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)