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06.11.2024
Ct. No. 18
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W.P.A. 25277 of 2024

**Shah Md. Nazrul Islam
Vs.
The State of West Bengal & Ors.**

Md. Habibur Rahaman
Mr. Munjel Alam
...for the petitioner

Mr. Sujoy Bandyopadhyay
Mr. J. Das
...for the respondent no. 6

Mr. Prosenjit Mukherjee
Ms. Madhurima Sarkar
...for the Madrasah Service Commission

Mr. Gourav Das
Mr. Soumyadip Chakraborty
...for the State

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

By presenting this writ petition, *inter alia*,
petitioner being an assistant teacher of Nalhati High
Madrasah District- Birbhum has prayed for resumption
of incremental benefits in connection of his training
qualification. It is submitted that the petitioner was
appointed permanently in the aforesaid madrasah on
and from 1st July, 2014 but within the period of five
years he could not complete teachers training course
since after appointment he was not given no objection by
the madrasah authority. It is also contended that due to
belated issuance of no objection in favour of the
petitioner to undergo teacher training ultimately

petitioner was able to complete the training course at the end of the session 2018-2020. Last semester ended on 1st July, 2020. However, in the meantime due to failure on the part of the petitioner to obtain training qualification increment for the training qualification has been withdrawn. Petitioner prays for resumption of such incremental benefits. Petitioner has made a representation dated 5th August, 2024 addressed to the District Inspector of Schools (SE) Birbhum being respondent no. 5.

Respondents are represented by learned advocates.

It is submitted jointly on behalf of the respondents since representation has been made to the respondent no. 5 same needs to be considered in accordance with law.

Having considered the respective submissions made on behalf of the parties the writ petition stands disposed of directing District Inspector of Schools (SE) Birbhum to take decision on the representation of the petitioner dated 5th August, 2024 by 8 (eight) weeks from the date of communication of this order after granting opportunity of hearing to the petitioner and the madrasah authority where petitioner is serving. Respondent no. 5 shall pass a reasoned order and same shall be communicated to the petitioner within 1 (one) week thereafter.

There shall be no order as to costs.

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

(Saugata Bhattacharyya, J.)