

21.03.2025
Court No. 18
Item No. 16
(Suvendu)

WPA 4017 of 2025

Abdul Hannan & Ors.
-Versus-

The State of West Bengal & Ors.

Mr. Debayan Ghosh
...for the petitioners
Mr. Nadeem Sulaiman
Mr. Muhhamad Jawwad
.....for the respondent nos. 2 & 3
Mr. Pinaki Dhali
Mr. Avishek Prasad
....for the State

Mr. Sobhan Majumder
Ms. Kalpita Paul
...for the respondent nos. 7 & 8

Pursuant to the order dated 6th March, 2025 deficit Court Fees has been put in and in support of same copies of documents have been placed before this Court and same are taken on record.

Learned advocate for the petitioners submits that petitioner nos. 1 and 3 were organizing teachers of Shreepur Modern India Senior Madrasah, Malda (hereinafter referred to as “said Madrasah”) and petitioner no. 2 was working as night-guard of said unrecognized Madrasah. It is further submitted that the Secretary, West Bengal Board of Madrasah Education vide memo dated 31st December,

2024 granted provisional recognition to said Madrasah for a period of three years from academic session 2025.

Petitioners pray for cancellation of provisional recognition granted to said Madrasah.

Learned advocate representing the said Madrasah has submitted that initially petitioners were appointed as organizing teaching and non-teaching staff and they discontinued their service in the year 2019. After grant of provisional recognition vide memo dated 31st December, 2024 they have filed this writ petition praying for direction for cancellation of recognition of said Madrasah.

State respondents and West Bengal Board of Madrasah Education are represented by learned advocates who have submitted that provisional recognition granted in favour of said Madrasah vide memo dated 31st December, 2024 is for a period of three years from academic session 2025 subject to fulfillment of conditions as stipulated in the recognition memo. It is also submitted that on expiry of three years said Madrasah authority may apply for extension of the period of provisional recognition for a further period of three years.

Having considered the respective submissions made on behalf of the parties, it appears that as to why petitioners have prayed for cancellation of provisional recognition of said Madrasah is not discernable. At one point of time petitioners were working as teaching and non-teaching staff of said Madrasah. Now, on recognition of said Madrasah they could have prayed for grant of approval in connection with their service. However, petitioners have prayed for cancellation of recognition of said Madrasah, which cannot be acceded to.

Furthermore, said Madrasah was granted provisional recognition by memo dated 31st December, 2024 for a period of three years from academic session 2025 and on expiry of three years if said Madrasah authority applies for extension of the period of provisional recognition for a further period of three years, same shall be granted subject to fulfillment of conditions as delineated in the recognition memo dated 31st December, 2024.

Therefore, at this stage this Court finds it not appropriate to interfere with the provisional recognition granted in favour of said Madrasah.

Hence, the writ petition stands dismissed.

There shall be, however, no order as to costs.

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

(Saugata Bhattacharyya, J.)