

25.03.2025
Item No.11
PG/KS
Ct. No.1

**C.P.A.N. 154 of 2017
With
W.P.A. 29909 of 2015**

**Kolkata Community Human Rights & Welfare
Association @ Community Human Rights
Versus
Mr. Abid Hossain & Anr.**

Mr. Abhijit Sarkar
Mr. Raja Biswas

.....For the Petitioner

Mr. Nilotpall ChatterjeeFor the State

1. This contempt application has been filed alleging disobedience of the order and direction dated 15th January, 2016 in W.P. No.29909 (W) of 2015. The said order reads as follows:-

“The complaint in the petition is that in spite of guidelines envisaged in Notification No.5050 dated 22.02.2011 to mitigate the extreme difficulties and need of family and child illiteracy of the minority community, no steps have been taken to recognize or approve the old Madrasah (Senior) so as to implement the guidelines in the notification. The petitioner is one of such NGOs.

If petitioner has submitted all documents and proper application, it is incumbent upon the Madrasah Education Department to look into the same and do the needful.

We direct the petitioner to approach the Madrasah Education Department with all the copies of representations if already given by them or file fresh representation with all the documents before the concerned department who shall consider the same in accordance with the procedure.

With the aforesaid observation, the writ petition is disposed of.”

2. Pursuant to the above directions, the petitioner has submitted various representations and the Director and

Ex-Officio Special Secretary to the Government of West Bengal, Minority Affairs and Madrasah Education Department had addressed to the DME, West Bengal vide communication dated 25th July, 2016, which is to the following effect:-

“Government of West Bengal

*Minority Affairs & Madrasah Education Department
‘Nabanna’, 325, Sarat Chatterjee Road, Howrah – 711102*

No.1432-MD/O/5M-1/16

Dated.25-07-2016

From: The Dir & Ex- Officio Special Secretary

To : The DME, WB

Sir,

I am directed to forward the representation of Dr. Sukumar M.K. Ghosh, President & Editor/C.E., Kolkata Community Human Rights and Welfare Association regarding Order of W.P. No.29909 (W) of 2015 passed by Hon’ble Chief Justice Mrs. Manjula Chellur and Hon’ble Justice Mr. Jaymalya Bagchi, Calcutta High Court.

The petitioner claimed that West Bengal Board of Madrasah Education sent 35 Senior Madrasah out of 49 Senior Madrasah to Director of Madrasah Education but till date only Hulaspur Modern India Senior Madrasah has been recognized.

As the petitioner has served a Contempt Notice to this Department, you are requested to submit a status report on the above subject at an early date.

Sd/

*Dir & Ex-Officio Special Secretary
to the Government of West Bengal*

No.1432/1(1)-MD/O/5M-1/16

Dated.14-07-2016

Copy for information to:-

- 1) Dr. Sukumar M.K. Ghosh, President & Editor/C.E., Kolkata Community Human Rights and Welfare Association, Opposite of N.B.S.T.C. Station, P.O. & PS – Falakata, Dist – Alipurduar, Pin – 735211.*

*Dir & Ex-Officio Special Secretary
to the Government of West Bengal”*

3. The grievance of the petitioner is that till date, nothing has happened. Since the order passed by the Court was of January, 2016, we are of the view that no useful purpose would be served by keeping the contempt petition pending and it would be in the fitness of things to issue a

direction to the petitioner to submit a fresh representation so that the same can be considered in accordance with law.

4. We have directed Mr. Nilotpall Chakraborty, learned counsel to accept notice on behalf of the respondent/State and his appearance may be regularized by the concerned authority.
5. Accordingly, the contempt petition is disposed of by directing the petitioner to submit a fresh representation to the concerned authority enclosing copies of the earlier representations as well as the copy of this order alongwith the earlier order and the authority is directed to consider the same and pass a reasoned order and communicate the same to the applicant/petitioner within a period of eight weeks from the date on which the representation is being submitted.
6. No costs.
7. 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

(CHAITALI CHATTERJEE (DAS), J.)