

13.08.2025.

PB

Sl. No.17.

Ct. No.23.

In the High Court at Calcutta
Constitutional Writ Jurisdiction
Appellate Side

WPA 17558 of 2009

Goni Amin Chowdhury & Anr.

Vs.

The State of West Bengal & Ors.

1. The petitioner has filed this instant writ petition seeking direction upon the respondents, their agents and servants to include the name of the petitioners in the report of DLIT dated 12th September, 2009 and take necessary steps to approve the appointment of the petitioners in the Chuapukur Madrasa Siksha Kendra, P.S. Lalgola, District - Murshidabad forthwith.

2. The case of the petitioners is that petitioners are working in the Madrasa since 1991 and the Secretary issued certificate to that effect. The Headmaster secretly not included the petitioners' name in the panel for approval. No inspection has been held by the school DLIT. Upon raising the list, their prayer was not allowed by the concerned authorities. Lastly, they have made a representation. But, an order was passed by the Director of Madrasa Education, West Bengal on

14th July, 2009. The order is passed, *inter alia*, which is as follows:-

“Hasimuddin Mondal, Secretary, Chuapukur Jr. High Madrasah said that Goni Amin Chowdhury is a Commerce Graduate with Special B.A. and had worked as Assistant Teacher long ago but now he is an absentee. None of the DLIT members found him physically in the said Madrasah on the date of inspection (13/09/2008) and there is no post of Matron in the Madrasah. None attended this Madrasah as Matron till date. Now, Goni Amin Chowdhury and Bilkish Banu are misguiding/misleading by preparing some fake documents in support of their contentions. He also said that (1) the name of Goni Amin Chowdhury was not enlisted as teaching staff in the inspection report dated 13.09.2008 of DLI Team as he was absent for a long time.

(2) The name of Bilkish Banu was not enlisted as non-teaching staff in the application form for MSK and also in the inspection report dated 13.09.2008 of DLI Team.

Point: In terms of sub-section 18B of order no. 983-MD, dated 04.07.08, there is no provision for B.Com or Spl. B.A. for any teaching post and as per Sub-section I (ix) of memorandum no.76/1(4)-JS(MD)/09, dated 12.02.09 “The educational qualification of such staff shall be in strict conformity with the staff-pattern of the Scheme prescribed in the Guidelines. In case of teaching staff, special B.A. in any subject or B.Com Degree shall not be accepted as eligible

qualification for the post of Shikshasamprasarak /Shikshasamprasarika (Teacher of MSK) towards granting/getting financial assistance by/from the Government.”

In view of the above noted circulars, facts and circumstances, (1) Goni Amin Chowdhury, the petitioner no.1 is not entitled to be an Assistant Teacher as he has not the minimum essential qualification for any post of teaching staff of MSK as per G.O. no.983-MD, dated 04.07.08 and Memorandum no.76/1(4)-JS(MD)/09, dated 12.02.09. (2) The name of Bilkish Banu was enlisted neither in the application form for MSK nor in the inspection report submitted by the DLI Team. She could neither prove her claim nor state the duties of the post she claimed to have been serving at the time of hearing. So, her claim as non-teaching staff of the said Madrasah is not tenable. No relief can be given to the petitioners for the aforesaid reasons.

Thus, the matter is disposed of. All concerned are being informed accordingly”.

3. Upon considering the aforesaid facts and circumstances, this Court does not find any merit in the present petition to interfere with the reasoning assigned by the Respondent authority. No sufficient documents available on the record to rebut the finding of the Respondent authorities. Petitioners are not entitled to reliefs as sought for.

4. Consequently, the writ petition being **WPA 17558 of 2009** stands **dismissed**.
5. Interim order, if any, stands vacated.
6. There shall however be no order as to costs.
7. All parties are to act on a server copy of this order duly downloaded from the official website of this Court.

(Ajay Kumar Gupta, J.)