

08.04.2025
Item No.37
Court No.551
Avijit Mitra

WPA 27995 of 2024

Mahfooz Aslam Naumani
- Versus -
State of West Bengal & ors.

Mr. Arunava Ganguly
...for the petitioner
Mr. Ashim Kumar Ganguly,
Mr. Bellal Sheikh
...for the respondents

Affidavit-of-service filed today be kept with the record.

The writ petitioner is aggrieved by the non-consideration of his representation dated August 24, 2023 made to the Principal Secretary, Law Department, Government of West Bengal requesting for transfer of his jurisdiction as Muslim Marriage Registrar (MMR) and Kazi from Belghoria Police Station within District-North 24 Parganas to Kamarhati Police Station within the same district.

The petitioner contends that he had made such representation before the Principal Secretary on August 24, 2023 and the same has been pending till date.

The learned advocate appearing for the State respondents hands up a copy of the instructions prepared by the OSD and Ex-officio Joint Secretary on November 28, 2024 along with two annexures, one being a letter dated April 25, 2023 issued by the Inspector General of

Registration and Commissioner of Stamp Revenue, West Bengal to the Joint Secretary to the Government of West Bengal, Law Department requesting the addressee authority to take appropriate steps to sanction the post of MMR for newly created Police Station as well as the old Police Station in respect whereof posts of MMRs were yet to be sanctioned. The said letter is accompanied by a chart which evinces that Kamarhati Police Station has also been mentioned as one of the Police Stations therein. It is submitted that the said chart evinces Police Stations where the said posts of MMRs are yet to be sanctioned. The next annexure, is a letter dated June 03, 2024, written by the Senior Law Officer, Ex-officio Assistant Secretary (Law) to the Inspector General of Revenue and Joint CSR, West Bengal whereby requests for transfer made by the petitioner along with one Md. Mokhtar Alam had been forwarded to the addressee authority for consideration. Let the copy of the instructions, as produced, be kept with the record.

It appears that despite the petitioner's case along with that of Md. Mokhtar Alam having been forwarded to the Respondent No.2 i.e. the Inspector General of Registration and Commissioner of Stamp Revenue, as evident from the letter dated June 03, 2024 as aforesaid, the said Respondent No.2 has not yet taken any step towards consideration of the petitioner's representation. The matter is still pending with the Respondent No.2.

In view thereof, the writ petition is disposed of by directing the respondent no.2 to take a decision on the petitioner's representation dated August 04, 2023 that has already been forwarded to him by the Senior Law Officer & Ex-Officio Asst. Secretary (Law) under cover of his letter dated June 03, 2024 within a period of six weeks from the date of communication of this order.

WPA 27995 of 2024 is disposed of with the aforesaid observations.

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

Urgent photostat certified copy of this order, if applied for, be given to the learned advocates for the parties.

(Om Narayan Rai, J.)