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(ML)

06.01.2025
Ct. No. 18
(ARPAN)

W.P.A. 30999 of 2024

**Situma Tajrin & Ors.
Vs.
The State of West Bengal & Ors.**

Mr. Soumya Majumder, Sr. Adv.
Mr. Biswaroop Bhattacharya
Mr. Anindya Bose

...for the Petitioners

Mr. Swapan Banerjee, AGP
Mr. Dipanjan Datta, Sr. Govt. Adv
Mr. Sayan Datta

...for the State

Mr. Pratik Dhar, Sr. Adv
Mr. Prosenjit Mukherjee
Mr. Madhurima Sarkar

...for the WB Madrasah Service
Commission

Three candidates have approached this court with the present writ petition, *inter alia*, praying for stalling the selection process, namely, 7th State Level Selection Test, 2023 (SLST) for recruitment in the post of Assistant Teacher in Classes IX, X, XI and XII in madrasahs since their appointment and approval thereof is under consideration before the Hon'ble Supreme Court in connection with a petition under Article 32 of the Constitution being numbered W.P. (C) No.641 of 2024. It is further submitted by Mr. Majumder, learned senior advocate that if posts are filled up, fate of the petitioners regarding appointment in the post of Assistant Teacher in Madrasahs under the aforesaid category would be sealed forever.

On the contrary, Mr. Pratik Dhar, learned senior Advocate representing West Bengal Madrasah Service Commission has drawn attention of this court to the order dated 30th August, 2024 passed by the Hon'ble Supreme Court on a Writ Petition (Civil) Diary No(s). 38860 of 2024 (*Najma Khatun & Ors. v. State of West Bengal & Ors.*) wherein it has been specifically directed that the employment of the petitioners shall not be disturbed till further orders taking note of the fact that recruitment process was commenced and it was at an advance stage. It is contended on behalf of the Commission that in view of the order dated 30th August, 2024 passed by the Hon'ble Supreme Court the right of the petitioners in the present writ petition stands protected. However, it has also been submitted that out of three petitioners in the present writ petition petitioner nos.1 and 2 have participated in the ongoing selection process. In support of same, copies of admit cards of those two petitioners are placed before this court and are taken on record.

Notwithstanding participation of petitioner nos. 1 and 2 in the ongoing selection process, that is, 7th SLST, 2023 for recruitment in the post of Assistant Teacher in Classes IX, X, XI & XII, right of the petitioners including petitioner nos. 1 and 2 as it is found from the order dated 30th August, 2024 passed by the Hon'ble Supreme

Court, is protected. Hence, no further order need be passed in this writ petition.

The writ petition stands disposed of.

Documents are filed on behalf of the petitioners in support of putting in deficit court fees and the same are taken on record.

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.)