

Item No.90
12.06.2025
Court. No. 19
GB

W.P.A. 36077 of 2013

Rajnagar Jumman-Sha Junior High Madrasah & Ors.
Vs.
The State of West Bengal & Ors.

Mr. Malay Dhar,
Mr. Shouvik Naskar

...for the Petitioners.

1. The writ petitioners are represented, however, none appears on behalf of the respondent State despite service of administrative notice.
2. By filing the instant writ petition the writ petitioners have prayed for issuance of appropriate writ/writs against the respondents, more specifically the respondent no.3 for quashing and/or setting aside the reasoned order dated 09.10.2013.
3. At the time of hearing, the learned advocate for the writ petitioners at the very outset draws attention of this Court to page no.90 of the instant writ petition being a copy of the order dated 19.12.2012 as passed in WP 20069(W) of 2012 by a coordinate Bench of this Court whereby and whereunder the respondent no.2 of the said writ petition was directed to dispose of the representation of the writ petitioners in accordance with law after giving an opportunity of hearing to the writ petitioners.
4. At this juncture, learned advocate for the writ petitioners draws attention of this Court to the copy of the reasoned order dated 09.10.2013 as has been

annexed at page nos.95 and 96 of the instant writ petition. It is submitted that from the said order dated 09.10.2013 it would reveal that the respondent no.3 authority while passing the said reasoned order, most mistakenly considered irrelevant facts and thus, come to the wrong finding while considering the representation of the writ petitioners.

5. This Court has meticulously perused the entire materials as placed before this Court including the reasoned order dated 09.10.2013 which is under challenge. It has been noticed by this Court that prior to passing of the reasoned order the respondent no.3 authority considered the further inspection report dated 13.06.2013 as made by the D.O.M.A. The respondent no.3 has noticed that during inspection the said D.O.M.A., South 24 Parganas had found serious discrepancies regarding year of joining of different teachers which are contrary to the dates of joining as mentioned in the first application and first DLIT report.
6. It has thus been noticed by the respondent no.3 that the information given by the writ petitioners in their application and declaration are contrary to the inspection report. Such finding of the respondent no.3 being a factual finding, this Court in absence of any contrary material ought not to disbelieve the same unless it is shown that the finding of the respondent

no.3 has been vitiated on account of consideration of same extraneous materials.

7. This Court has also noticed that the respondent no.3 authority came to a finding that it is the policy decision of the State not to give any further approval to any MSK or SSK. Such decision in considered view of this Court falls purely in the administrative domain of the respondent State. Therefore, this Court must be very slow in interfering with such administrative decision.
8. This Court, thus, does not find any merit in the instant writ petition.
9. Accordingly, the writ petition being WPA 36077 of 2013 is dismissed.
10. Urgent Photostat certified copy of this order, if applied for, be given to the parties upon compliance of all necessary formalities.

(Partha Sarathi Sen, J.)