

11.03.2026
Sl. No.11
Ct. No.14
ss

**IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE**

**W.P.A. No. 21134 of 2023
CAN 1 of 2023**

**Sk. Hasibur Rahman
Versus
The State of West Bengal & Ors.**

Mr. Anindya Bose
Mr. Golam Mohiuddin
Mr. Mridul Biswas
Ms. Raina Das
Ms. Kaif Hossain

...for the Petitioner.

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

...for the Madrasah Service Commission

Mr. Arindam Chattopadhyay
Ms. Lipika Chatterjee

... for the State

Mr. Uttam Kr. Bhattacharyya

... for the respondent nos.7 & 8

Mr. Uttam Kumar De
Ms. Jamuna Saha

... for the applicant

1. By the present writ petition the petitioner seeks direction upon the respondent authorities to issue '*Distance Certificate*' in favour of the petitioner and further direction upon the Teacher-in-charge, M.S.D.U. Dogachia Senior Madrasah to issue forwarding letter and '*no objection*' certificate in favour of the petitioner.
2. Mr. Anindya Bose, learned Advocate appearing on behalf of the petitioner submits that as per notification under Memo No.MSC/Notice/07/2023 dated 1st August, 2023 of West Bengal Madrasah

Service Commission in order to effect transfer process there is a requirement for uploading '*Distance Certificate*' in the online portal for general transfer. Hence, the petitioner seeks direction for issuance of the same.

3. Mr. Pratik Dhar, learned Senior Advocate appearing on behalf of the Madrasah Service Commission submits that as soon as the '*Distance Certificate*' is received at their end, the Commission will take appropriate steps in accordance with law so far as the transfer of the petitioner is concerned.
4. Mr. Uttam Kr. Bhattacharyya, learned Advocate appearing on behalf of the respondent nos.7 and 8 Madrasah on the last occasion submitted that the said Madrasah has already forwarded the requisite '*no-objection*' certificate to the Madrasah Service Commission.
5. Mr. Uttam Kumar De, learned Advocate for the applicant in CAN 1 of 2023, on the previous date, submitted that his client, who is the wife of the petitioner, has no objection so far as the transfer of the petitioner is concerned. However, the petitioner is avoiding to make payment of regular maintenance for which the applicant has filed an execution proceeding pending before learned Judicial Magistrate, 3rd Court, Paschim Medinipur.
6. In view of such submissions advanced on behalf of the respected parties, the District Inspector of Schools (SE), Paschim Midnapore, respondent no.6 is directed

to issue the '*Distance Certificate*' in favour of the petitioner and forward the same to the Madrasah Service Commission for taking consequential steps, in accordance with law, within a period of six weeks from the date of communication of this order.

7. Learned Advocate for the petitioner is directed to communicate this order to the respondent no.6, the District Inspector of Schools (SE), Paschim Midnapore, for necessary compliance.
8. With the above direction, the writ petition being **WPA 21134 of 2023** stands disposed of.
9. So far as the matrimonial dispute raised in CAN 1 of 2023 is concerned, pursuant to order of this Court dated 6th September, 2023, mediation was held to resolve the dispute but the same has failed. Be that as it may, it is left open to the applicant in CAN 1 of 2023 to pursue her relief regarding non-payment and/or default in payment, if any, by the petitioner before the appropriate court of law.
10. The application being **CAN 1 of 2023** is also disposed of without any order.
11. Since no affidavits have been called for, the allegation made in the writ petition is deemed to be not admitted.
12. Interim order, if any, stands vacated.
13. All connected applications, if any, stand disposed of.
14. There shall be no order as to costs.

15. All concerned parties shall act in terms of the copy of the order duly downloaded from the official website of this Court.
16. Urgent Photostat certified copy of the order, if applied for, be given to the parties on compliance of all necessary legal formalities.

(Bivas Pattanayak, J.)