14.10.2026
Sl. No.12
Ct. No.14
ss

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

W.P.A. No. 30138 of 2026

Rafija Rahaman (Minor) represented by her mother Farida Khatun
Versus
The State of West Bengal & Ors.

Mr. Uday Sankar Chattopadhyay
Ms. Rajashree Tah
...for the Petitioner.

Mr. Bikash Chandra Das
Mr. Biplab Ranjan Bose
...for the State.

Mr. Nadeem Sulaiman
Mr. Mijanul Kabir
... for the West Bengal Board of Madrasah Education

1. Affidavit of service filed on behalf of the petitioner is taken on record.
2. Despite service none appears on behalf of the respondent No.6, the Headmaster, Jangipur Muniriah High Madrasah (H.S.).
3. By the present writ petition the petitioner seeks direction upon the respondent authorities particularly respondent no.4, the Secretary, West Bengal Board of Madrasah Education to consider and relax the age bar in case of the petitioner and allow the petitioner to submit online checklist process for registration of High Madrasah Examination, 2027.
4. The petitioner contends that she is a regular student of Class X in Jangipur Muniriah High Madrasah (H.S.) and her date of birth is 9th August, 2012. The petitioner applied for registration for appearing in the 10th Class Madrasah Board Examination, 2027 and

also paid requisite fees for the same. However, the checklist for submission of application could not be finalised through online portal due to an automated age restriction (underage) system control. The petitioner is exceptionally good student and she ranked first in her class in almost every academic session. The candidates, whose date of birth is within 30th April, 2012 have been allowed registration by the Board. The petitioner is underage by only four months to be registered for appearing in the Board examination, 2027. Save and except age bar the petitioner is otherwise eligible to appear in the said examination. Hence, this writ petition seeking for appropriate relief.

5. Mr. Uday Sankar Chattopadhyay, learned Advocate appearing on behalf of the petitioner submits that the petitioner is a meritorious student. Due to underage by only four months, the petitioner is unable to register herself for appearing in the Board Examination, 2027. He submits that such underage should be condoned and the petitioner be allowed to register her name through online portal for appearing in the said examination. Reliance is placed on the decision of the Coordinate Bench of this Hon'ble Court passed in ***Kumari Pragya Pandey (Minor) -versus- The State of West Bengal & ors.,*** reported in ***2012 SCC OnLine Cal 1332.***

6. Mr. Nadeem Sulaiman, learned Advocate representing the West Bengal Board of Madrasah Education, on instruction, submits that the portal can be opened and

the case of the petitioner for registration can be considered by the Board, despite her being underage to register for Board Examination, 2027.

7. In a similar circumstance a Coordinate Bench in *Kumari Pragya Pandey (Minor) (supra)* observed as follows:

> "*Under-age, in my view, cannot be a disqualification if the candidate concerned can satisfy the other eligibility criteria and proves his brilliance in the Test Examination. Since the petitioner passed the Test Examination and she is otherwise eligible to appear in the Secondary Examination, she can very well compete with the eligible candidates and thus the age bar, in my view, cannot stand as a barrier in allowing her to appear in the Secondary Examination in 2012.*"

8. Upon perusal of marksheets of the petitioner annexed to the writ petition (Annexure P2) it reveals that the petitioner has consistently secured more than 90% marks in her curriculum (from class VI to IX).

9. In the above conspectus and in view of the submissions advanced on behalf of the respective parties and also in line with the decision of Coordinate Bench in *Kumari Pragya Pandey (Minor) [supra]*, respondent no.4, Secretary, West Bengal Board of Madrasah Education is directed to allow the petitioner to submit online checklist process for registration of High Madrasah Examination, 2027 within a period of four weeks from date of communication of this order and complete all necessary formalities required for registration of the petitioner to appear in the High Madrasah Examination 2027 upon waiver of the age restriction as far as the petitioner is concerned. Upon

completion of registration by the Board, respondent no.6, the Headmaster, Jangipur Muniriah High Madrasah (H.S.) shall allow the petitioner to appear in the upcoming Test Examination for High Madrasah Examination, 2027.

10. It is made clear that this order is made under special circumstances and shall not be treated as a precedent.
11. With the above direction, the writ petition being **WPA 30138 of 2026** stands disposed of.
12. Learned advocate for the petitioner is directed to communicate this order to respondent no.4, Secretary, West Bengal Board of Madrasah Education and respondent no.6, the Headmaster, Jangipur Muniriah High Madrasah (H.S.) for necessary compliance.
13. Since no affidavits have been called for, the allegation made in the writ petition is deemed to be not admitted.
14. Interim order, if any, stands vacated.
15. All connected applications, if any, stand disposed of.
16. There shall be no order as to costs.
17. All concerned parties shall act in terms of the copy of the order duly downloaded from the official website of this Court.
18. 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.)