

22.01.2026
Sl. No.3(DL)
Ct. No.14
srm

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

W.P.A. No. 832 of 2026

Maidul Khan

Versus

The State of West Bengal & Ors.

Mr. Biswaroop Bhattacharya,
Mr. Abu Sohel

...for the Petitioner.

Mrs. Sonal Sinha,
Mr. Gourav Das

...for the State.

Mr. Nadeem Sulaiman,
Mr. Mijanul Kabir

...for the Madrasah Board.

Mr. Soumen Kumar Dutta,
Mr. Subham Dutta

...for the Respondent No.6.

Mr. Sounak Ghosh

...for the Added Respondent No.7.

1. Affidavit-of-service filed on behalf of the petitioner is taken on record.
2. By the present writ petition, the petitioner challenges the impugned memo dated 2nd January, 2026 (Annexure P-10) and also seeks direction upon the Board to furnish the ID and password for enrolment process in the High Madrasah Examination, 2026 in favour of the petitioner and further direct the District Inspector of Schools (SE), Purba Medinipur to furnish ID and password relating to online e-pension and I-OSMS in favour of the petitioner.

3. The petitioner contends that he is the Teacher-in-Charge (*in short, 'TIC'*) duly approved by the Managing Committee of Contai Rahamania High Madrasah (H.S.), District-Purba Medinipur (*hereinafter referred to as the 'Madrasah'*). The petitioner is discharging his function as a TIC of the said school. Initially one Firoz Khan was appointed as TIC in the said Madrasah, however, due to long unauthorised leave as well as non-cooperation with the Managing Committee and the Madrasah, he was removed from the post of TIC considering future of the students and for smooth functioning of the said institution. A writ petition was filed by the Managing Committee, its secretary and the present petitioner being WPA 25828 of 2022 seeking for supplying the ID and password in favour of the petitioner, who is newly appointed TIC to operate the online process. Since the petitioner was not provided the ID and password the coordinate Bench of this Court made the following arrangements:

“Considering the above, this Court is of the view that the prima facie case and the balance of convenience, warrant an interim arrangement to be made for the interest of the relevant Madrasah and its regular running. Accordingly, the petitioner no.2 in consultation with the present Teacher-in-Charge and the other members of the existing Managing Committee of the relevant Madrasah shall place the necessary requisition before the respondent no.2 with every details and particulars of the fund which shall be necessary for running the affairs and management of the relevant Madrasah including payment of salaries and to meet day to day expenditure in usual course of business.

Upon receiving such requisition from the petitioner no.2, the second respondent immediately and positively within seven days from receiving such requisition shall disburse the necessary funds in favour of the relevant Madrasah to carry out the necessary expenses in terms of the requisition to be made by the petitioner no.2 for every month. Such requisition shall be made and to be sent by the petitioner no.2 to the respondent no.2 every month. The petitioner no.2 in turn shall maintain a detail accounts in this regard with him by putting his signature in a monthwise statement. After bearing the

expenses 6 from such funds to be released by the respondent no.2, the petitioner no.2 shall also furnish the details of expenses with the requisition for funds for the succeeding month. The second petitioner shall also maintain strictly the accounts of the relevant Madrasah monthwise from the month when the relevant Madrasah shall receive the fund for the first time under this interim arrangement from the respondent no.2. The statement of accounts to be maintained by the relevant Madrasah shall be signed by the second petitioner along with all the members of the Managing Committee and the third petitioner. In any event, this will not create any equity or right in favour of the third petitioner in the event, ultimately, it is found that the third petitioner has no right to be in the relevant Madrasah in any post.”

4. Several communications were made with the authorities concerned, however, ID and password has not been provided to the petitioner. For non-compliance of the solemn order passed in WPA 25858 of 2022, the writ petitioners have also filed a contempt application being CPAN 1252 of 2023.
5. On 26th December, 2025, a request was placed before the President of West Bengal Board of Madrasah Education for providing ID and password for enrolment process in the High Madrasah Examination, 2026, however, the same is yet to be provided by the Board.
6. Being aggrieved by such action of the respondent authorities, the petitioner has preferred the present writ petition.
7. Mr. Biswaroop Bhattacharya, learned Advocate for the petitioner submits that in the earlier writ petition the Managing Committee approached this Court since it faced problems in smooth functioning of the Madrasah and an interim arrangement has been made by this Court so that the salaries are paid to the teachers and other employees of the relevant Madrasah. The erstwhile TIC, namely Firoz Khan has no authority to act and

remain in the said post, however, he is holding ID and password illegally. For which reason the process for registration of enrolment of the students in the High Madrasah Examination, 2026 is getting hampered. There has been orders by the Director of Madrasah Education as well as Joint Secretary (Law) to the Government of West Bengal, Minority Affairs & Madrasah Education Department to handover such ID and password to the existing TIC, i.e. the present petitioner pertaining to e-pension and I-OSMS. However, in total violation of said directions, erstwhile TIC is acting highhandedly and is reluctant to resolve the impasse. He seeks for an interim order for directing the Board to furnish the ID and password for enrolment process in the High Madrasah Examination, 2026 and further direct the District Inspector of Schools (S.E.), Purba Medinipur to furnish ID and password relating to online e-pension and I-OSMS in favour of the petitioner, till the disposal of the writ petition or until further orders, who has been recognised and appointed by the Managing Committee to be the TIC.

8. Mr. Soumen Kumar Dutta, learned Advocate for the Managing Committee of the said Madrasah submits that the erstwhile TIC has been removed from the post and the petitioner herein, the present TIC has been appointed for smooth administration of the Madrasah. However, the erstwhile TIC in most ulterior manner is

trying to control the administration of the said Madrasah.

9. Mr. Nadeem Sulaiman, learned Advocate representing the Madrasah Board submits that erstwhile TIC, Firoz Khan has discharged his functions since 2022. Notice has been issued by the Board to the parties to resolve the dispute and the same is still pending consideration. He informs the Court that admit cards for High Madrasah Examination, 2026 have already been issued to the students and, therefore, there is no necessity for any interim order at this stage.
10. Mr. Gourav Das, learned Advocate for the State also submits that steps have been taken for issuance of admit cards to the students.
11. Mr. Sounak Ghosh, learned Advocate for the added respondent No.7 submits that the subject matter of this writ petition is also pending before the co-ordinate Bench of this Court in WPA 25858 of 2022.
12. Having considered the circumstances as raised in the present writ petition and also bearing in mind the future of the students who are to appear for High Madrasah Examination, 2026, as an interim measure, the West Bengal Board of Madrasah Education is directed to handover the ID and password to the petitioner by 28th January, 2026.
13. So far as the other prayer regarding furnishing ID and password relating to online e-pension and I-OSMS in

favour of the petitioner is concerned, same shall be considered after exchange of affidavits.

14. It is made clear that interim order passed will not create any equity in favour of either of the parties.
15. Leave is granted to implead Mr. Firoj Khan, the previous Teacher-in-Charge as added respondent No.7.
16. Learned Advocate-on-record for the petitioner is directed to serve copy of the writ petition along with its annexures to Mr. Ghosh, learned Advocate appearing for the added respondent No.7.
17. Respondent No.2 and added respondent No.7 are directed to file affidavit-in-opposition to the writ petition within a period of two weeks; reply, if any, be filed within a week thereafter. Advance copy of such affidavit-in-opposition be served upon the learned Advocate for the petitioner.
18. List this matter after three weeks under the heading ***'Hearing'***.

(Bivas Pattanayak, J.)