

04.02.2026
Sl. No.10(DL)
Ct. No.14
srm

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

W.P.A. No. 8084 of 2024

Md. Samim Akhtar

Versus

The State of West Bengal & Ors.

Mr. S. P. Lahiri,
Md. Habibur Rahman

...for the Petitioner.

Mr. Nayan Chand Bihani,
Mr. Sujit Chatterjee

...for the State.

1. Affidavit-of-service filed on behalf of the petitioner is taken on record.
2. By the present writ petition, the petitioner seeks for cancellation and/or withdrawal of the order under Memo No.1446-ME dated 25th November, 2019 by the Director of Madrasah Education, respondent No.2 (Annexure P-12).
3. Petitioner contends that he was an organising Assistant Teacher of Dhauta Ezharul Uloom Ashrafia Junior High Madrasah, P.O. Rasakhowa, P.S. Karandighi, District-Uttar Dinajpur since 15th November, 2008. For the sake of regularisation, the District Level Inspection Team conducted an inspection and submitted its report, i.e. DLIT report on 28th February, 2009. The name of the petitioner was included in the said DLIT report as an organising

teacher in Biology in the said Madrasah. Although all other eight teachers were regularised in service after recognition of the said Madrasah, but the service of the petitioner was not regularised. The petitioner made a representation for his regularisation, however, the same was not considered and the petitioner was constrained to file a writ petition being WPA 22816 (W) of 2017. The said writ petition was disposed of on 15th March, 2019 directing the Director of Madrasah Education to consider and dispose of the representation of the petitioner by passing a reasoned order. The Director of Madrasah Education rejected the prayer for regularisation of the petitioner holding that the DLIT report has been tampered. Being aggrieved by such impugned order, the petitioner has preferred the present writ petition.

4. Mr. S.P. Lahiri, learned Advocate for the petitioner submits that the impugned order is based on surmises and conjectures. The Director of Madrasah Education himself called for an enquiry/verification of the DLIT report by the District Officer, Minority Affairs and Madrasah Education, Uttar Dinajpur on 21st November, 2019. However, without such report, this impugned order was passed rejecting the prayer of the petitioner for regularisation. Accordingly, the petitioner has prayed for setting aside of the said order.
5. State is directed to furnish a report within a period of two weeks with advance copy of the report to the

learned Advocate for the petitioner. Exception, if any, be filed within a week thereafter.

6. Learned Advocate-on-record for the petitioner is directed to serve afresh upon the respondent Nos.5, 6 and 7 and file affidavit-of-service on the returnable date.
7. List this matter on **26th February, 2026** under the same heading.

(Bivas Pattanayak, J.)