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05.07.2024
Ct. No. 18
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W.P.A. 15894 of 2024

**The Managing Committee, Contai Rahamania High
Madrasah (H.S.) & Anr.
Vs.
The State of West Bengal & Ors.**

**With
WPA 23314 of 2022
IA No. CAN 1/2022**

**The Managing Committee, Contai Rahamania High
Madrasah (H.S.) & Anr.
Vs.
The State of West Bengal & Ors.**

Mr. Soumen Kr. Dutta
Mr. Abu Sohel
Mr. Subham Dutta
Mr. Sk. Sayan Uddin
...for the petitioner

Mr. Sujit Panja
Mr. Nadeem Suleiman
...for the Madrasha Board

Mr. Suman Dey
Ms. Tuhina Parvin
...for the State
(In WPA 15894 of 2024)

Mr. Kamalesh Bhattacharyya
Mr. Anindya Sunder Das
Mr. Shaunak Ghose
Mr. Subrata Mondal
Ms. Sova Gayen
..for the TIC

Two writ petitions are heard in presence of the
learned advocates representing the parties.

Mr. Soumen Kr. Dutta, learned advocate
representing the petitioners has drawn attention of this

Court to the orders dated 3rd May, 2016 and dated 31st August, 2017 passed on a writ petition being WPA 7287 of 2016. It has been contended on behalf of the petitioners upon placing reliance on the aforesaid two orders dated 3rd May, 2016 and 31st August, 2017 that during pendency of the writ petition being WPA 7287 of 2016 wherein challenge has been thrown to the Rules for Management of Recognised Non-Government Madrasahs (aided and unaided) Rules, 2002 there may not be any interference with the management of the madrasah. According to the petitioners observations to that effect have been made by the coordinate Benches by passing order dated 3rd May, 2016 and 31st August, 2017.

Mr. Panja, learned advocate representing the West Bengal Board of Madrasah Education has pointed out that the conditions imposed by the coordinate Bench in the order dated 31st August, 2017 whereby the madrasah authority was directed to file monthly statement of accounts with the Board during the functioning of the defunct Managing Committee, has not been fulfilled. It has been submitted that there is departure so far the Managing Committee of the Madrasah is concerned in submitting monthly statement of accounts.

The Secretary of the Board is directed to file an affidavit disclosing whether regular monthly statement of

accounts were filed with the Board in terms of the order dated 31st August, 2017 or not.

Let such affidavit be filed by fortnight from date with advance copies upon the learned advocate representing the petitioners.

List the matters under the same heading on 2nd August, 2024.

The petitioners in the writ petition being WPA 15894 of 2024 shall be at liberty to file exception to the said affidavit by 1 (one) week thereafter.

Interim order which was passed on 21st June, 2024 stands extended till 30th August, 2024.

(Saugata Bhattacharyya, J.)