

ITEM NO.19

COURT NO.9

SECTION X

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Writ Petition(s)(Civil) No(s). 566/2024

NAJMA KHATUN & ORS.

Petitioner(s)

VERSUS

THE STATE OF WEST BENGAL & ORS.

Respondent(s)

[TO BE TAKEN UP AT 2:00 PM]

IA No. 147501/2025-APPROPRIATE ORDERS/DIRECTIONS

IA No. 95930/2025-APPROPRIATE ORDERS/DIRECTIONS

IA No. 198616/2025-APPROPRIATE ORDERS/DIRECTIONS

IA No. 201136/2024-EX-PARTE STAY

IA No. 198614/2025-INTERVENTION/IMPLEADMENT

IA No. 196176/2024-PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/
ANNEXURESIA No. 198706/2025-PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/
ANNEXURES

WITH

W.P.(C) No. 651/2024 (X)

FOR PERMISSION TO FILE APPLICATION FOR DIRECTION ON IA 116147/2025

IA No. 207526/2024-EX-PARTE STAY

IA No. 226957/2024-INTERVENTION/IMPLEADMENT

IA No. 222852/2024-PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/
ANNEXURES

IA No. 116147/2025-PERMISSION TO FILE APPLICATION FOR DIRECTION

W.P.(C) No. 120/2025 (X)

IA No. 7809/2025-EX-PARTE STAY

IA No. 116280/2025-PERMISSION TO FILE APPLICATION FOR DIRECTION

W.P.(C) No. 825/2024 (X)

IA No. 267717/2024-EX-PARTE STAY

IA No. 115185/2025-PERMISSION TO FILE APPLICATION FOR DIRECTION

W.P.(C) No. 578/2024 (X)

IA No. 225499/2024-INTERVENTION/IMPLEADMENT

IA No. 222823/2024-PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/
ANNEXURES

IA No. 116025/2025-PERMISSION TO FILE APPLICATION FOR DIRECTION

Diary No(s). 35840/2024 (X)

IA No. 196225/2025-CONDONATION OF DELAY IN REFILEING / CURING THE
DEFECTS

IA No. 196224/2025-EX-PARTE STAY

Diary No(s). 36427/2024 (X)

IA No. 196217/2025-CONDONATION OF DELAY IN REILING / CURING THE DEFECTS

IA No. 196216/2025-EX-PARTE STAY

W.P.(C) No. 826/2024 (X)

IA No. 282833/2024-EX-PARTE STAY

IA No. 116028/2025-PERMISSION TO FILE APPLICATION FOR DIRECTION

W.P.(C) No. 828/2024 (X)

IA No. 282320/2024-EX-PARTE STAY

IA No. 116267/2025-PERMISSION TO FILE APPLICATION FOR DIRECTION

W.P.(C) No. 627/2024 (X)

IA No. 115191/2025-PERMISSION TO FILE APPLICATION FOR DIRECTION

IA No. 223533/2024-STAY APPLICATION

W.P.(C) No. 121/2025 (X)

IA No. 12169/2025-EX-PARTE STAY

IA No. 58646/2025-PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ ANNEXURES

IA No. 113877/2025-PERMISSION TO FILE APPLICATION FOR DIRECTION

W.P.(C) No. 557/2024 (X)

IA No. 95954/2025-APPROPRIATE ORDERS/DIRECTIONS

IA No. 147504/2025-APPROPRIATE ORDERS/DIRECTIONS

IA No. 226160/2024-INTERVENTION/IMPLEADMENT

IA No. 198718/2024-PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ ANNEXURES

IA No. 198172/2024-STAY APPLICATION

W.P.(C) No. 540/2024 (X)

IA No. 95960/2025-APPROPRIATE ORDERS/DIRECTIONS

IA No. 147515/2025-APPROPRIATE ORDERS/DIRECTIONS

IA No. 226923/2024-INTERVENTION/IMPLEADMENT

IA No. 194380/2024-PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ ANNEXURES

IA No. 194080/2024-STAY APPLICATION

W.P.(C) No. 558/2024 (X)

IA No. 147585/2025-APPROPRIATE ORDERS/DIRECTIONS

IA No. 95948/2025-APPROPRIATE ORDERS/DIRECTIONS

IA No. 198251/2024-EX-PARTE STAY

IA No. 262371/2024-EXEMPTION FROM FILING O.T.

IA No. 262370/2024-INTERVENTION/IMPLEADMENT

IA No. 226134/2024-INTERVENTION/IMPLEADMENT

IA No. 198710/2024-PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ ANNEXURES

W.P.(C) No. 108/2025 (X)

IA No. 11443/2025-EX-PARTE STAY

IA No. 115173/2025-PERMISSION TO FILE APPLICATION FOR DIRECTION

W.P.(C) No. 109/2025 (X)
IA No. 116029/2025-PERMISSION TO FILE APPLICATION FOR DIRECTION

W.P.(C) No. 112/2025 (X)
IA No. 279466/2024-EX-PARTE STAY
IA No. 115115/2025-PERMISSION TO FILE APPLICATION FOR DIRECTION

W.P.(C) No. 110/2025 (X)
IA No. 116032/2025-PERMISSION TO FILE APPLICATION FOR DIRECTION

W.P.(C) No. 111/2025 (X)
IA No. 13934/2025-EX-PARTE STAY
IA No. 116027/2025-PERMISSION TO FILE APPLICATION FOR DIRECTION

W.P.(C) No. 618/2024 (X)
IA No. 109195/2025-APPROPRIATE ORDERS/DIRECTIONS
IA No. 221125/2024-EX-PARTE STAY
IA No. 241847/2024-INTERVENTION/IMPLEADMENT
IA No. 178875/2025-PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

W.P.(C) No. 656/2024 (X)
IA No. 104782/2025-APPROPRIATE ORDERS/DIRECTIONS
IA No. 229705/2024-EX-PARTE STAY
IA No. 241437/2024-INTERVENTION/IMPLEADMENT
IA No. 177488/2025-PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

W.P.(C) No. 626/2024 (X)
IA No. 109199/2025-APPROPRIATE ORDERS/DIRECTIONS
IA No. 241843/2024-INTERVENTION/IMPLEADMENT
IA No. 178874/2025-PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES
IA No. 223464/2024-STAY APPLICATION

W.P.(C) No. 634/2024 (X)
IA No. 109185/2025-APPROPRIATE ORDERS/DIRECTIONS
IA No. 223791/2024-EX-PARTE STAY
IA No. 241817/2024-INTERVENTION/IMPLEADMENT
IA No. 178476/2025-PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

W.P.(C) No. 663/2024 (X)
IA No. 147628/2025-APPROPRIATE ORDERS/DIRECTIONS
IA No. 104834/2025-APPROPRIATE ORDERS/DIRECTIONS
IA No. 231917/2024-EX-PARTE STAY
IA No. 241371/2024-INTERVENTION/IMPLEADMENT
IA No. 177480/2025-PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

W.P.(C) No. 638/2024 (X)
IA No. 104789/2025 -APPROPRIATE ORDERS/DIRECTIONS

IA No. 224453/2024 -EX-PARTE STAY
 IA No. 241984/2024 -INTERVENTION/IMPLEADMENT
 IA No. 177473/2025 -PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/
 ANNEXURES

W.P.(C) No. 633/2024 (X)
 IA No. 147629/2025 -APPROPRIATE ORDERS/DIRECTIONS
 IA No. 104785/2025 -APPROPRIATE ORDERS/DIRECTIONS
 IA No. 223757/2024 -EX-PARTE STAY
 IA No. 241852/2024 -INTERVENTION/IMPLEADMENT
 IA No. 177481/2025 -PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/
 ANNEXURES

W.P.(C) No. 653/2024 (X)
 IA No. 104780/2025 -APPROPRIATE ORDERS/DIRECTIONS
 IA No. 228201/2024 -EX-PARTE STAY
 IA No. 272677/2024 -INTERVENTION/IMPLEADMENT
 IA No. 120349/2025 -PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/
 ANNEXURES

W.P.(C) No. 616/2024 (X)
 IA No. 109192/2025 -APPROPRIATE ORDERS/DIRECTIONS
 IA No. 220281/2024 -EX-PARTE STAY
 IA No. 241975/2024 -INTERVENTION/IMPLEADMENT
 IA No. 178858/2025 -PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/
 ANNEXURES

W.P.(C) No. 662/2024 (X)
 IA No. 104791/2025 -APPROPRIATE ORDERS/DIRECTIONS
 IA No. 231891/2024 -EX-PARTE STAY
 IA No. 242008/2024 -INTERVENTION APPLICATION
 IA No. 120972/2025 -PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/
 ANNEXURES

W.P.(C) No. 635/2024 (X)
 IA No. 223825/2024 -EX-PARTE STAY
 IA No. 241970/2024 -INTERVENTION/IMPLEADMENT
 IA No. 180481/2025 -PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/
 ANNEXURES

W.P.(C) No. 827/2024 (X)
 IA No. 270946/2024 -EX-PARTE STAY
 IA No. 116026/2025 -PERMISSION TO FILE APPLICATION FOR DIRECTION

W.P.(C) No. 641/2024 (X)
 IA No. 156386/2025 -APPROPRIATE ORDERS/DIRECTIONS
 IA No. 100474/2025 -APPROPRIATE ORDERS/DIRECTIONS
 IA No. 97521/2025 - PPROPRIATE ORDERS/DIRECTIONS
 IA No. 30788/2025 - DELETING THE NAME OF PETITIONER/RESPONDENT
 IA No. 30786/2025 - DELETING THE NAME OF PETITIONER/RESPONDENT
 IA No. 225200/2024 -EX-PARTE STAY
 IA No. 282404/2024 -INTERVENTION APPLICATION
 IA No. 262167/2024 -INTERVENTION/IMPLEADMENT

IA No. 241850/2024 -INTERVENTION/IMPLEADMENT
 IA No. 291782/2024 -INTERVENTION/IMPLEADMENT
 IA No. 291767/2024 -INTERVENTION/IMPLEADMENT
 IA No. 175499/2025 -PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/
 ANNEXURES
 IA No. 195239/2025 -PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/
 ANNEXURES

W.P.(C) No. 680/2024 (X)
 IA No. 109183/2025 -APPROPRIATE ORDERS/DIRECTIONS
 IA No. 236726/2024 -EX-PARTE STAY
 IA No. 241431/2024 -INTERVENTION/IMPLEADMENT
 IA No. 179988/2025 -PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/
 ANNEXURES

W.P.(C) No. 692/2024 (X)
 IA No. 109180/2025 -APPROPRIATE ORDERS/DIRECTIONS
 IA No. 238025/2024 -EX-PARTE STAY
 IA No. 241421/2024 -INTERVENTION/IMPLEADMENT
 IA No. 180001/2025 -PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/
 ANNEXURES

W.P.(C) No. 679/2024 (X)
 IA No. 236650/2024 -EX-PARTE STAY
 IA No. 281295/2024 -INTERVENTION/IMPLEADMENT

W.P.(C) No. 682/2024 (X)
 IA No. 104784/2025 -APPROPRIATE ORDERS/DIRECTIONS
 IA No. 281662/2024 -INTERVENTION/IMPLEADMENT
 IA No. 178491/2025 -PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/
 ANNEXURES
 IA No. 236912/2024 -STAY APPLICATION

W.P.(C) No. 689/2024 (X)
 IA No. 104777/2025 -APPROPRIATE ORDERS/DIRECTIONS
 IA No. 237952/2024 -EX-PARTE STAY
 IA No. 281157/2024 -INTERVENTION/IMPLEADMENT
 IA No. 177494/2025 -PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/
 ANNEXURES

W.P.(C) No. 683/2024 (X)
 IA No. 104790/2025 -APPROPRIATE ORDERS/DIRECTIONS
 IA No. 281155/2024 -INTERVENTION/IMPLEADMENT
 IA No. 178529/2025 -PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/
 ANNEXURES
 IA No. 236918/2024 -STAY APPLICATION

W.P.(C) No. 106/2025 (X)
 IA No. 14375/2025 -EX-PARTE STAY
 IA No. 115189/2025 -PERMISSION TO FILE APPLICATION FOR DIRECTION

W.P.(C) No. 107/2025 (X)
 IA No. 14357/2025 -EX-PARTE STAY

IA No. 114231/2025 -PERMISSION TO FILE APPLICATION FOR DIRECTION

W.P.(C) No. 776/2024 (X)

IA No. 265094/2024 -EX-PARTE STAY

IA No. 116279/2025 -PERMISSION TO FILE APPLICATION FOR DIRECTION

W.P.(C) No. 105/2025 (X)

IA No. 104924/2025 -APPROPRIATE ORDERS/DIRECTIONS

IA No. 156400/2025 -APPROPRIATE ORDERS/DIRECTIONS

IA No. 30797/2025 -DELETING THE NAME OF PETITIONER/RESPONDENT

IA No. 30793/2025 -DELETING THE NAME OF PETITIONER/RESPONDENT

IA No. 296316/2024 -EX-PARTE STAY

IA No. 198666/2025 -PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

IA No. 175494/2025 -PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

W.P.(C) No. 734/2024 (X)

IA No. 113766/2025 -APPROPRIATE ORDERS/DIRECTIONS

IA No. 281655/2024 -INTERVENTION/IMPLEADMENT

IA No. 253176/2024 -STAY APPLICATION

W.P.(C) No. 814/2024 (X)

IA No. 285528/2024 -EX-PARTE STAY

IA No. 138338/2025 -INTERVENTION/IMPLEADMENT

IA No. 114271/2025 -PERMISSION TO FILE APPLICATION FOR DIRECTION

W.P.(C) No. 800/2024 (X)

IA No. 107865/2025 -APPROPRIATE ORDERS/DIRECTIONS

Diary No(s). 55256/2024 (X)

IA No. 82907/2025 -CONDONATION OF DELAY IN REILING / CURING THE DEFECTS

IA No. 82906/2025 -EX-PARTE STAY

IA No. 154292/2025 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

W.P.(C) No. 958/2025 (X)

IA No. 239352/2025 -EX-PARTE STAY

Diary No(s). 22974/2025 (X)

IA No. 239037/2025 -CONDONATION OF DELAY IN REILING / CURING THE DEFECTS

IA No. 239035/2025 -EX-PARTE STAY

Date : 19-11-2025 These matters were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE DIPANKAR DATTA

HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

For Petitioner(s) : Mr. Pijush K. Roy, Sr. Adv.
 Mr. Pritthish Roy, Adv.
 Ms. Kakali Roy, Adv.
 Mr. Rajan K. Chourasia, AOR

Mr. Sunando Raha, Adv.
 Mr. Abhu Sohel, Adv.
 Mr. Rajeev Kumar Gupta, Adv.
 Mr. Vishal Arun Mishra, AOR

Mr. Biswarup Bhattacharjee, Sr. Adv.
 Mr. Gholam Mohiuddin, Adv.
 Mr. Ranjan Mukherjee, Adv.
 Mr. Anindo Mukherjee, Adv.
 Mr. Saurabh Bhushan, Adv.
 Mr. Rameshwar Prasad Goyal, AOR

Mr. Sunando Raha, Adv.
 Mr. Abu Sohel, Adv.
 Ms. Nitipriya Kar, Adv.
 Mr. Kunal Malik, AOR
 Mr. Nagender Singh, Adv.

Mr. Sudhanshu S Choudhary, Sr. Adv.
 Mr. Devadatt Kamat, Sr. Adv.
 Mr. Sunando Raha, Adv.
 Mr. Abu Sohel, Adv.
 Mr. Revanta Solanki, Adv.
 Mr. Pranjal Chapalgaonkar, Adv.
 Mr. Hruday P Bajentri, Adv.
 Mr. Ajay Desai, Adv.
 Ms. Manishita Bhattacharya, Adv.
 Mr. Pulkit Agarwal, AOR
 Mr. Sudhanshu Kaushesh, Adv.
 Mr. Anubhav Lamba, Adv.
 Mr. Rajat Kumar, Adv.
 Mr. Sudhanshu Kumar, Adv.

Mr. Baldev Singh, Adv.
 Mr. Tavleen Singh, Adv.
 Mr. Rajeev Kumar Gupta, Adv.
 Mr. Prashant Singh, AOR
 Ms. Vallabhi Shukla, Adv.
 Mr. M.a. Chaudhary, Adv.
 Mr. Sachin Kumar Anand, Adv.

Mr. Salman Khurshid, Sr. Adv.
 Ms. Naghma Imtiaz, Adv.
 Mr. Ahmad Zargham, Adv.
 Mr. Saif Naseem, Adv.
 Ms. Lubna Naaz, Adv.
 Ms. Sonika, Adv.

Mr. Sunando Raha, Adv.
 Mr. Abu Sohel, Adv.
 Mr. Rajeev Kumar Gupta, Adv.
 Mr. Parminder Singh Bhullar, AOR

Mr. Salman Khurshid, Sr. Adv.
 Mrs. Indira Jaisinh, Sr. Adv.
 Mr. Gaurav Choudhary, AOR

For Respondent(s) : Mr. Raju Ramachandran, Sr. Adv.
 Mr. Kunal Vajani, Adv.
 Mr. Kunal Mimani, AOR
 Mr. Prashant Alai, Adv.
 Mr. Mohammed Afeef, Adv.
 Ms. Shruti Narayan, Adv.
 Ms. Nida Khan Salim, Adv.

Ms. Madhumita Bhattacharjee, AOR

Ms. Mayuri Raghuvanshi, AOR
 Mr. Vyom Raghuvanshi, Adv.
 Ms. Akanksha Rathore, Adv.
 Ms. Yashi Jain, Adv.

Mr. Rahul Kaushik, Sr. Adv.
 Mrs. Jyoti Aggarwal, Adv.
 Mr. Pradeep Shekhawat, Adv.
 Mr. Soumen Dutta, Adv.
 Ms. Sanjivani Aggarwal, Adv.
 Mr. Rahul Mohod, Adv.
 Mr. Ambuj Mishra, Adv.
 Mr. Sanjay Gyan, Adv.
 Mr. Aditya Prasad, Adv.
 Mr. Prakash Verma, Adv.
 Mr. Mohammad Usman Siddiqui, Adv.
 Mrs. Aisha Siddiqui, Adv.
 Mr. Chandan Kumar Mandal, Adv.
 Ms. Sakeena Quidwai, Adv.
 Mr. Parmanand Singh, Adv.
 Mr. Vijay Kumar, Adv.
 Mr. Chand Qureshi, AOR
 Mr. Sundeep Pandhi, Adv.

Mr. Shashank Singh, AOR
 Ms. Prapti Shrivastava, Adv.
 Mr. Shakeel Ahmad, Adv.
 Mr. Adil Sharfuddin, Adv.
 Mr. Avinash Kumar Singh, Adv.
 Mr. Mohd. Umar Iqbal Khan, Adv.
 Ms. A.Anisha, Adv.

Mr. Huzefa Ahmadi, Sr. Adv.

Mr. Suhaan Mukerji, Adv.
 Mr. Adarsh Kumar, Adv.
 Mr. Tanmay Sinha, Adv.
 Ms. Vanshika Jain, Adv.
 Mr. Ashray Chopra, Adv.
 Ms. Rashmi Singh, Adv.
 M/S. Plr Chambers And Co., AOR

Mr. Vipin Kumar Bharti, Adv.
 Mr. Naeem Ilyas, Adv.
 Ms. Priya Kumari, Adv.
 Mr. Akash Yadav, Adv.
 Ms. Tanya, Adv.
 Ms. Yashi Agarwal, Adv.
 Mr. Tajveer Singh, Adv.
 Mr. Towseef Ahmad Dar, AOR

Mr. Rajesh Sen, Adv.
 Mrs. Shibani Bhattacharjee, Adv.
 Mr. Shashikant Yadav, Adv.
 Mr. Vikas Jain, AOR

Ms. Shagufa Salim, AOR
 Mr. Jatin Choudhary, Adv.
 Mr. Apoorv Shankar, Adv.
 Mr. Hariom, Adv.
 Ms. Sandhya, Adv.
 Mr. Suchit, Adv.

Mr. M.R. Shamshad, Sr. Adv.
 Mr. Aditya Samaddar, AOR
 Mr. Arijit Sarkar, Adv.
 Mr. Saiful Haque, Adv.
 Mr. Nadeem Ahmed, Adv.

Mr. Siddhartha Chowdhury, AOR
 Mr. Shaffi Mather, Adv.

Mr. Gaurav Choudhary, AOR

Mr. Snehasish Mukherjee, AOR
 Mr. Asit Kumar Roy, Adv.
 Mr. Maneesh, Adv.
 Mr. Vishal Agarwal, Adv.
 Mr. Krishan Mahajan, Adv.
 Mr. Bhaskar Malakar, Adv.

Mr. Rahul Kaushik, Sr. Adv.
 Mrs. Jyoti Aggarwal, Adv.
 Mr. Pradeep Shekhawat, Adv.
 Mr. Soumen Dutta, Adv.
 Ms. Sanjivani Aggarwal, Adv.

Mr. Rahul Mohod, Adv.
 Mr. Ambuj Mishra, Adv.
 Mr. Sanjay Gyan, Adv.
 Mr. Aditya Prasad, Adv.
 Mr. Prakash Verma, Adv.
 Mr. Mohammad Usman Siddiqui, Adv.
 Mrs. Aisha Siddiqui, Adv.
 Mr. Chandan Kumar Mandal, Adv.
 Ms. Sakeena Quidwai, Adv.
 Mr. Parmanand Singh, Adv.
 Mr. Vijay Kumar, Adv.
 Mr. Chand Qureshi, AOR
 Mr. Sundeep Pandhi, Adv.

Mr. Siddhartha Chowdhury, AOR
 Mr. Shaffi Mather, Adv.

UPON hearing the counsel the Court made the following
O R D E R

1. There are more than forty writ petitions on board. The same are presented jointly by around 361 petitioners claiming to have been appointed as teachers and non-teaching staff of various Madrasahs in the State of West Bengal after the West Bengal Madrasah Service Commission Act, 2008 was declared unconstitutional by a Single Bench of the High Court at Calcutta, since affirmed by the decision of a Division Bench.
2. It is not in dispute that the verdict of the Single Bench, since affirmed by the Division Bench, declaring the said Act as unconstitutional does not survive having regard to the appellate judgment of this Court dated 6th January, 2020 in ***SK. Mohd. Rafique v. Managing Committee, Contai Rahamania High Madrasah & Ors.***¹.
3. Much water has flown under the bridge since the appellate judgment was rendered. On a contempt petition moved before this Court, a coordinate Bench of this Court by its judgment and order dated 2nd February, 2023 constituted a Committee to look into the individual cases of all teaching / non-teaching staff

¹ (2020) 6 SCC 689

who claimed to have been appointed subsequent to the decision of the Division Bench referred to above.

4. The Committee constituted by the order of this Court examined the claims of each and every teaching and non-teaching staff and *vide* individual observations have spurned their claims of having been regularly appointed in the concerned Madrasahs in the capacity of teachers / non-teaching staff and their claimed entitlement to draw salary from the Grants-in-Aid Scheme of the State Government of West Bengal.

5. The aggrieved teaching and non-teaching staff, as the petitioners, are now before us in these petitions under Article 32 of the Constitution questioning the legality of the process adopted by the Committee in not accepting their claims.

6. On an earlier occasion, noticing the deficiency in the pleadings, we had requested advocates-on-record for the petitioners to project before us the ten most glaring cases where the petitioners despite creditworthiness of their claims might have been meted out injustice by the Committee. No such exercise appears to have been undertaken.

7. We once again grant liberty to the advocates-on-record appearing on behalf of the petitioners to identify cases of not more than ten teachers and five non-teaching staff who have been grossly wronged, to persuade us to hold that the Committee was unjustified in spurning their claims. While projecting the cases of these ten teachers and five non-teaching staff, we require answers, preferably on affidavits, to the following questions:

- (i). Whether on the dates the petitioners were appointed in the concerned Madrasahs (the names may be disclosed), as

claimed, such Madrasahs enjoyed valid recognition granted by the West Board of Madrasah Education²?

(ii). Whether the Managing Committees of the concerned Madrasahs, where the petitioners claim to have been appointed, were valid Managing Committees in the sense that the same were duly constituted in accordance with the Management Rules and had the imprimatur of the Madrasah Education Board?

Subject to answers to the aforesaid two questions being in the affirmative:

(iii). What is the educational qualification of the petitioner and on which post in which Madrasah was he/she appointed?

(iv) What was the staff pattern of the concerned Madrasah in question (both teaching and non-teaching staff) as on date the selection process was initiated and appointment of the petitioner made either as teacher or non-teaching staff?

(v). Whether the permission of the relevant District Inspector of Schools was required for initiating the selection process? If no, why? If yes, was it sought and obtained by the Managing Committees prior to initiating the process of selection?

(vi). Whether the petitioners applied in response to any advertisement? If yes, where was the advertisement published?

(vii) What is the nature of competition and the test/examination that the petitioners faced prior to appointment?

(viii) Whether the Managing Committees, with their own recommendations and the recommendations of the Selection Committee constituted for the purpose, had forwarded all papers together with the panel/merit list to the District Inspector for approval?

(ix). Whether the District Inspector had approved such panel/merit list leading to appointment?

(x). Whether the service of the petitioner, upon appointment, approved by the District Inspector?

8. Any other information that the petitioners would wish to disclose, relevant for a decision on the writ petitions, is permitted to be disclosed.

9. Additionally, the petitioners who wish to furnish answers to the above questions may extract the specific observation by which the Committee had spurned their claims.

10. Having regard to the submission of Mr. Huzefa Ahmadi, learned senior counsel, we also direct that such of the petitioners on whose behalf submissions are proposed to be advanced on the next date by furnishing particulars on the above ten questions must also disclose on affidavits whether they have instituted any previous proceedings before this Court or before the High Court and the fate of such proceedings.

11. The advocates-on-record for the petitioners may intimate the Court Master / Registry which out of these writ petitions are at the instance of the teaching staff and which are at the instance of the non-teaching staff. On the

next date, the writ petitions filed by the teachers shall be listed together, followed by the writ petitions filed by the non-teaching staff.

12. If any of the writ petitions the petitioners are both teaching and non-teaching staff, the particulars thereof shall also be provided so that same may be listed separately.

13. We request the advocates-on-record for the petitioners to also furnish the particulars to the advocates-on-record for the State, the Madrasah Education Board and the West Bengal Madrasah Commission at least 72 hours in advance of the next date of hearing.

14. Re-list the writ petitions on 17th December, 2025, as the first item in the list, marked 'part-heard'.

(JATINDER KAUR)
P.S. to REGISTRAR

(SUDHIR KUMAR SHARMA)
COURT MASTER (NSH)