

Bench:
Mr. Justice Bhishmadev Chakrabortty
and
Mr. Justice Murad-A-Mowla Sohel

Writ Petition No.9225 of 2022
Headmaster (In-charge)
Ramkanai High Academy, Brahmanbaria.

.....petitioner

-Vs-

Board of Intermediate and Secondary Education,
represented by its Chairman, Cumilla Board, Cumilla
and others.respondents

Mr. Khair Ezaz Maswood, Senior Advocate with Mr.
Md. Bakir Uddin Bhuiyan, Mr. S.M. Iqbal Bahar
Bhuiyan, Mr. Dewan Roni Mahmud and Mst. Jannati
Khatun, Advocatesfor the petitioner

Mrs. Syeda Nasrin with Mr. Jannat Peya and Mr.
Shariful Hasan, Advocatesfor respondent 4

Judgment on 10.03.2026.

Bhishmadev Chakrabortty, J:

The Rule in the aforequoted writ petition was issued in the
following terms-

“Let a Rule Nisi be issued calling upon the respondents to show cause as to why the order contained in Memo No. আইন/শিব/১৬৬/২০১৭-২০২১/১৬৩ dated 14.02.2021 (Annexure-O) issued under signature of the respondent No.3 disapproving the proposal (Annexure-J) of the Managing Committee of Ramkanai High Academy, Brahmanbaria for dismissing the respondent No.4 from his service as Headmaster of Ramkanai High Academy, Brahmanbaria should not be declared to have been issued without any lawful authority and are of no legal effect and and/or pass such other or further order or orders as to this Court may seem fit and proper.”

At the time of issuance of the Rule operation of the impugned order dated 14.02.2021 disapproving the proposal of the Managing Committee of Ramkanai High Academy, Barhmanbaria dismissing respondent 4 from service was stayed for a limited period which has been extended from time to time and still subsists.

The material facts for disposal of this Rule as stated in the writ petition, in brief, are that respondent 4 was the headmaster of the aforesaid school. Some of the teachers, members of the Managing Committee and employees of the school on 06.01.2016 submitted a complaint to the President of Managing Committee of the school bringing allegation against the headmaster of misappropriation of money, arbitrary exercise of power and professional misconduct. The Managing Committee arranged a meeting held on 06.10.2016 and after elaborate discussion took unanimous decision to form an Internal Audit Committee to audit the accounts of the school from 2010 to 2016. The Audit Committee submitted a report to 24.10.2016 and on its basis the Managing Committee in its meeting held on 05.11.2016 took decision to issue show cause notice upon respondent 4 as to why legal action should not be taken against him for the financial mismanagement, misappropriation of school fund, wilful negligence of the official duty and misuse of power. The President of the Managing Committee then on 07.11.2016 issued a show cause notice upon him. Respondent 4 replied to the said show cause notice in writing on 13.11.2016. The Managing Committee was not satisfied with the reply and by its meeting held on

26.11.2016 suspended him from service. Subsequently, they formed an Inquiry Committee on 23.05.2017 consisting of three members. The headmaster-in-charge of the school on 05.7.2017 asked respondent 4 to handover resolution books to him from 26.05.1991 to 25.08.2009 but respondent 4 replied to it that the President of the Managing Committee took away those from him forcefully on 06.01.2016. According to the decision of the Managing Committee, the Inquiry Committee through a letter dated 19.07.2017 brought detail charge against respondent 4 and requested him to appear before the Inquiry Committee on 30.07.2017 with all relevant documents. But respondent 4 did not appear before the Inquiry Committee. The Committee inquired into the allegations brought against him, found those to be true and submitted a report on 13.08.2017. The Managing Committee in its meeting held on 24.08.2017 discussed on the report and consequently took unanimous decision to dismiss him from service. They sent the decision to the Chairman of the Appeal and Arbitration Committee of the Board requesting them to approve the proposal of dismissal. In the meantime, Audit Directorate, Ministry of Education formed a committee to inspect the school who found severe financial irregularities of respondent 4 in managing the school fund and submitted report on 25.09.2017. In the audit report they stated that total income of the school from 2013-2017 was at Taka 97,03,381.96 out of which Taka 46,85,910.00 was deposited in the bank and rest amount of Taka 50,17,431.96 was kept in hand and was expensed at the sweet will of the headmaster. Furthermore, Taka 14,43,315.00 was spent for unnecessary construction work without any

advertisement or tender notice. The headmaster without forming any committee and taking approval from the Managing Committee expended Taka 2,99,678.00 for repairing and maintenance in the years 2015-2016. C.R. Case No.7 of 2018 was filed against him where an inquiry was held at the order of the Judicial Magistrate and a report was submitted against the headmaster. Apart from the above facts the headmaster-in-charge of the school Md. Jalal Uddin filed Money Suit No.01 of 2017 against respondent 4 which was decreed in part. All the above facts has come out in report of the Inquiry Committee upon which the Managing Committee took decision of dismissal of the headmaster. But the Board without taking into consideration of all the above facts issued the impugned order on 14.02.2021 disapproving the decision of dismissal of the headmaster. The petitioner school then finding no other alternative invoked writ jurisdiction of this Court and obtained this Rule with an interim order of stay.

Respondent 4 appeared in the Rule and filed an application for discharging the Rule being not maintainable, in support of the application he filed a supplementary affidavit. The learned Advocate for respondent 4 prays to treat the application and supplementary affidavit as affidavit in opposition in this Rule. The facts as stated in the affidavit-in-opposition and supplementary affidavit, in brief, are that the Managing Committee represented by its president forced the teachers to bring allegation against this respondent and the employees of the school filed the complaint in violation of Rule 46 of Bidhimala. Previously, the

Managing Committee increased salary of this respondent on 09.7.2012 for his good performance in the school. Subsequently, for his honesty, sincerity, integrity and hard working for improving the standard of the students of this school he was recognized as a model teacher of the school by taking resolution on 10.01.2015. The headmaster-in-charge Md. Jalaluddin was also present in that meeting and played a vital role in taking such decision. But subsequently he filed a civil suit and a criminal case against this respondent being greedy and hawking after the post of headmaster. During the tenure of this respondent 100% student of the school passed in the SSC examination for which the school got an award and respondent 4 played excellent role for it. An Audit Committee of the Government inspected the school in 2016 and found no financial irregularities but mysteriously an Internal Audit Committee immediately thereafter found the irregularities against this respondent. The formation of the internal audit committee was with *malafide* intention in violation of Rule 6(Gha) of Janobal Kathamo Nitimala, 2010 and 2018. Two members of the Inquiry Committee were under the status of this respondent as per their pay scale grade. He appeared before the Inquiry Committee in due time on 19.07.2017 to assist the enquiry and prayed to stay the enquiry process until Title Suit 253 of 2017 was disposed of but he was kicked out from the school. He preferred an appeal against the decree passed in Money Suit 01 of 2017 which is still pending. The Managing committee is not paying his allowances as a suspended teacher. He has been living from hand to mouth due to illegal, arbitrary and *malafide* activities of the Managing Committee. Md. Jalal Uddin

who filed a civil suit against this respondent was suspended for embezzlement of the school fund during the tenure of this respondent. He was compelled to refund the money to the school to keep his job. After his return he took steps one after another to harass the headmaster with the help of the then President of the Managing Committee and ultimately he became successful in suspending and dismissing this respondent. By way of supplementary affidavit, respondent 4 further asserted that he was physically harassed, beaten and was forced to put signatures in resolution 198 and 199 dated 05.11.2016 and 26.11.2016 respectively. The President of the Managing Committee took away all the resolution books and prepared resolutions behind back of this respondent which is evident from the resolution submitted by the petitioner. After taking decision of dismissal, nine teachers out of eleven except the petitioner of this writ petition and another who was earlier suspended for financial irregularity issued a no objection certificate and prayed for reinstating this respondent in his post through a letter dated 25.01.2021. The Board legally refused to approve the decision of dismissal taken by the Managing Committee which may not be interfered by this Court in writ jurisdiction.

Mr. Khair Ezaz Maswood, learned Senior Advocate for the petitioner taking us through the materials on record particularly annexure-J and impugned order annexure-O to the writ petition submits that the Managing Committee took resolution on 24.8.2017 to dismiss respondent 4 from service. In the same resolution they further took

decision to send the proposal to the Chairman of the Appeal and Arbitration Committee of the Board for approval. Since, the decision was taken for sending the dismissal order to the Board for its approval, therefore, it cannot be said that the Managing Committee took final decision and it was sent to the Board only to do paper work. If for the sake of argument it is considered that the language used in taking such decision is too harsh and unkind but finally the Managing Committee sent it to Board for approval in compliance of law. It cannot be said that the decision for dismissing the respondent was effected without approval of the Board. According to regulation 12 of the Recognised Non Government Secondary School Teachers (Board of Intermediate and Secondary Education, Comilla) Terms and Condition of Service Regulations, 1979 (the Regulations, 1979) the Managing Committee is the penalty imposing authority. They took unanimous decision for dismissing the headmaster from service and sent the proposal to the Board for approval in compliance with the provision of regulation 12 of the Regulations, 1979. He refers to Annexure-S of the supplementary affidavit and submits that the Inquiry Committee was formed in compliance of the provisions of law because Kazi Ashrafuzzaman was an Assistant Professor of a college and his pay scale grade was 5. The other two members Md. Sarafat Jamil was a lecturer of Economics and Md. Saifur Rahman was a lecturer of Bengali of a College and their pay scale grade was 7. The pay scale grade of respondent 4 was 7 and as such the inquiry was not done by the persons inferior to respondent 4. Therefore, the above two observations of the Board about forming of

Inquiry Committee and effectiveness of the dismissal order without the approval of the Board are not correct. He further submits that the Board found no signature in the notice who called the meeting of the Managing Committee. It is found true that the then headmaster did not put his signature at the required place of the notice but at its bottom he put his signature meaning that he signed in the notice. It is found from 199 meeting of the Managing Committee held on 26.11.2016 that the headmaster was present in the meeting in which the decision of suspension was taken. But as headmaster he was bound to put in his signature in the notice and to remain present in the meeting which was a part of his service. Respondent 4 has not been prejudiced in the absence of his signature in the notice for calling the meeting. Mr. Maswood then advanced his submission on the principle of prejudice and useless formalities that one cannot be allowed to take his own misdeeds. He refers to the case of Khalishpur Jute Mills Ltd. Vs. Rajdhani Unnayan Kartipakkha and others, 26 BLC (AD) 192 and relied on the principle laid therein. In paragraph 18 of the cited case though the Court held that the rules of natural justice were violated but refused to set aside the order on the ground that no prejudice was caused to him. In the aforecited case referring to the several cases on theory of 'useless' or 'empty' formality, and noting 'admitted or undisputed' facts, the Court held that the only conclusion which could be drawn was that had Monsoor Ali been given a notice it "would not have made any difference" and thus, no prejudice had been caused to him. In the present case for not putting signature in the prescribed place of the notice no prejudice was caused to respondent

4. Mr. Maswood further submits that the Managing Committee in taking decision of dismissal complied with all the legal formalities as were required by the law, therefore, the Board ought to have approved the decision of dismissal. The impugned order passed by the Board, therefore, suffers from legal battle and infirmity, and as such liable to be declared to have been issued without lawful authority and is of no legal effect. The Rule, therefore, would be made absolute.

Ms. Syeda Nasir, learned Advocate for respondent 4 on the other hand supports the impugned order passed by the Education Board and submits that the Appeal and Arbitration Committee of the Board heard both the parties and found that in taking decision of dismissal, the mandatory provisions of law prescribed in the Regulations, 1979 and মাধ্যমিক ও উচ্চমাধ্যমিক শিক্ষাবোর্ড, কুমিল্লা (মাধ্যমিক ও উচ্চমাধ্যমিক স্তরের শিক্ষা প্রতিষ্ঠানের গভর্নিং বডি ও ম্যানেজিং কমিটি) প্রবিধানমালা, ২০০৯ (the Regulations, 2009) have been violated. The Arbitration Committee of the Board after scrutinise disagreed with the decision taken by the Managing Committee and on their opinion the Board finally passed order disapproving the decision of dismissal of this respondent. Ms. Nasrin takes us through the language of the decision taken by the Managing Committee in its meeting held on 24.8.2017- “চূরান্তভাবে বহিস্কারের সর্বসম্মত সিদ্ধান্ত গৃহীত হয়” and submits that it proves that committee was pre-determined to dismiss respondent 4 from service and on taking decision sent it to the Board for formal approval. She further submits that before taking decision of dismissal of any employee of a non government school having MPO, the prior approval

of the Board is required as per regulation 12 of Regulations, 1979. But in this case the Managing Committee took decision and then sent to the Board for approval. The Board correctly refused to approve it. She refers to the case of Sheikh Ramjan Ali vs. Board of Intermediate and Secondary Education and others, 48 DLR 128; the decision of which has been affirmed by the Appellate Division in the case reported in 51 DLR (AD) 31 and relied on the *ratio* laid therein that there is no scope for the Board of *post facto* approval of dismissal order of a teacher taken by the Managing Committee. She then submits that two members of the Inquiry Committee were below the status of the respondent 4. The pay scale grade of the members of the committee were 9 where the grade of the headmaster was 7. Therefore, the formation of the Inquiry Committee was beyond the provision of law as has been found by the Board and as per the *ratio* laid in the cases of Government of Bangladesh represented by the Secretary, Ministry of Information and others vs. M/S Maitri Trade International, Proprietor Md. Abdul Hossain Miah, 16 MLR (AD) 254; Md. Nurul Huda Miah vs. Dhaka Water Supply and Sewerage Authority and others, 44 DLR 527; Kazi Farooque Ahmed vs. National University and others, 13 BLT (HCD) 181 and Sh. Abdur Rahman Advocate, Bahawalnagar vs. the Collector and Deputy Commissioner, Bahawalnagar and others, 16 DLR (SC) 470. She pointed us to the 1st part of impugned order and then taking us through Annexure-D submits that publication of notice inviting meeting of the Managing Committee in taking any decision is a must. But in this case the notice for calling the meeting is found without any signature of its issuing authority and as

such it was not a notice in the eye of law. Therefore, the very initiation of the proceeding against this respondent is found faulty and as such subsequent all decisions taken by the Managing Committee are to be declared to have been without lawful authority and taken with *malafide* intention. She finally, refers to the case of M/s. Hajee Mohammad Ali & Sons vs. Burma Eastern Ltd & others, 38 DLR (AD) 41 and relying on the principle laid therein submits that Mr. Jalal uddin, headmaster-in-charge in collusion with the school Authority particularly with the then President of the Managing Committee did everything against respondent 4 which are illegal and *malafide*. By now it is well settled that the *malafide* act by its nature is an act without jurisdiction because it vitiates everything. In view of the aforesaid position of law, the decision of the Board is found correct and as such the Rule would be liable to be discharged.

We have considered the submissions of the learned Advocates for both the sides, gone through the materials on record, annexures appended with the writ petition and supplementary affidavits, the statement of facts and documents submitted by respondent 4 with the application by way of affidavit-in-opposition, the provisions of law of Regulations, 1979 and Regulations, 2009 and *ratio* of the cases cited by the respective parties.

It appears that the respondent 4 was appointed as headmaster of the aforesaid school long ago and he performed his duties there till he was suspended temporarily. It is found in the record that when

respondent 4 was the headmaster the school achieved a good result and passing rate of the SSC Examinee was 100%. It has been stated that respondent 4 was treated as model teacher of the school in 2012 and his salary was increased. In 181 general meeting of the Managing Committee he was recognized as a model teacher of the school. The dispute about the integrity of respondent 4 started in the year 2016 while some of the staffs and employees of the school filed an application to the President of the Managing Committee on 06.01.2016 bringing specific 11 allegations against him as contained in annexure-A to the writ petition. An Internal Audit Committee was formed who submitted a report against him on 26.10.2016 finding mismanagement and financial irregularities. He was served with a show cause notice on 07.11.2016 annexure-C-1 as per the decision taken by the Managing Committee in its 198 meeting held on 05.11.2016 annexure-C. Respondent 4 submitted reply to the show cause notice on 13.11.2016 categorically denying the allegations brought against him. A notice was issued on 26.11.2016 annexure-D to the writ petition for holding meeting of the Managing Committee wherein we find no signature who issued the notice but it is found that respondent 4 put his signature at the bottom of the notice with other members of the Managing Committee. In the said meeting the school Authority suspended respondent 4 temporarily. On going through the aforesaid notice it is difficult for us to hold whether it was for holding a general meeting as contemplated under regulation 33 or a special meeting under regulation 34 of Regulations, 2009. The law

prescribed in regulation 33 sub-regulation 4 and regulation 34 sub-regulation 2 of the Regulations, 2009 are reproduced below-

৩৩ সাধারণ সভা আহ্বান।-

(১)

(২)

(৩)

(৪) সভা অনুষ্ঠানের অন্ততঃ সাত দিন পূর্বে সভার বিজ্ঞপ্তি জারী করিতে হইবে।

(৫)

(৬)

৩৪ বিশেষ সভা।-

(১)

(২) অন্য চব্বিশ ঘন্টার নোটিশে বিশেষ সভা আহ্বান করা যাইবে এবং কোন বিশেষ

সভায় একটির অধিক আলোচসূচী থাকিবে না। (emphasis supplied)

The aforequoted law provides that a notice for calling a General Meeting under regulation 33(4) is to be published at least 7 days before holding the meeting whereas, in case of calling Special Meeting as contemplated under regulation 34(2) of the said Regulations at least 24 hours' previous notice is to be published and in such a meeting there will be not more than one agenda. Mr. Maswood, learned Senior Advocate for the petitioner categorise the aforesaid meeting dated 26.11.2016 as a 'special meeting'. But in case of calling a special meeting the notice has to be given or published to the members at least 24 hours before holding of the meeting as contemplated under regulation 34(2) of the

Regulations, 2009 which was not done in this case. In a special meeting there would be no other agenda except for the purpose which the meeting was called for but in the meeting held on 26.11.2016 there were other agendas as (1) approval of the decision of the previous meeting and (3) miscellaneous. The meeting was called for on 26.11.2016 and it was held on the same day and all the decisions were taken. This is a gross violation of regulation 34(2) of the Regulations, 2009. Whether the headmaster put his signature in the prescribed place of the notice is immaterial because he including the President of the Committee put signatures at the bottom of the notice. In that meeting the decision was taken to suspend the petitioner from service and to form an Inquiry Committee to enquire into the allegations brought against the headmaster. The very proceeding was initiated and started on the decision of a meeting which was called on by violating the aforesaid provisions of law of the Rules, 2009. The petitioner alleged that the President of the Managing Committee and Mr. Jalal Uddin who was subsequently became headmaster-in-charge of the school did all the acts and took steps against him with *malafide* intent.

It has been alleged by respondent 4 in the affidavit that the President of the Managing Committee took away all the resolution books from him on 16.10.2016 and wrote resolutions behind his back with *malafide* intent. It is found from Annexures-B and C to the writ petition that the meetings 196 and 198 were held on 06.10.2014 and 05.11.2016 respectively and respondent 4 put his signatures on those 20.10.2016 and

26.11.2016 *i.e.* both are found after holding of the meetings which prove the case of respondent 4 that resolution book was taken away by the President of the Managing Committee and decision was taken behind his back with *malafide* intent. The pages of the resolution books prior taking of action against respondent 4 and subsequent are found in naked eyes quite distinguishable in nature.

In 2016 an audit committee approved by the Ministry of Education audited the school but found nothing against respondent 4 but an Internal Audit Committee formed by the Managing Committee on the same year found several allegations against him to be true. The formation of Internal Audit Committee and taking of decision on the basis of its report is against the directions and circular issued by the concerned ministry to that effect. The Managing Committee took resolution in the meeting held on 24.08.2017 (annexure-J) on the basis of the Internal Audit Committee as under-

"উক্ত প্রতিবেদন উপস্থিত সকল সদস্যগণ দীর্ঘক্ষণ আলোচনা করে দেখেন যে, তদন্ত কমিটি কর্তৃক বিভিন্ন অভিযোগে অভিযুক্ত সাময়িক বরখাস্তকৃত প্রধান শিক্ষক জনাব আবদুন নূরকে সকল অভিযোগে (১৬টি) দোষী সাব্যস্ত করা হয়। সাময়িক বরখাস্তকৃত প্রধান শিক্ষক জনাব আবদুন নূর কর্তৃক সরকারী ও বিদ্যালয়ের অর্থ আত্মসাৎ, সরকারী ও বোর্ডের সিদ্ধান্ত অমান্যকরণ, শিক্ষার্থী ও শিক্ষকদের সাথে অশালীন আচরণ, M.A (ইংরেজী) সনদ প্রতারণা, ম্যানেজিং কমিটির সিদ্ধান্ত জালিয়াতির মাধ্যমে ভাতা গ্রহণ, সরকার কর্তৃক নিষিদ্ধ বই পাঠ্য করণ, বিদ্যালয় থেকে ১টি রেজুলেশন বহি সরিয়ে ফেলা, মহিলা সহকারী শিক্ষকের সাথে আপত্তিকর আচরণের দায়ে সাময়িক বরখাস্তকৃত প্রধান শিক্ষক জনাব আবদুন নূরকে অদ্যকার সভায় চূড়ান্তভাবে বহিষ্কারের সর্বসম্মত সিদ্ধান্ত গৃহীত হয়। এই

বিস্ময়ে প্রয়োজনীয় ব্যবস্থা গ্রহণের জন্য মাধ্যমিক ও উচ্চ মাধ্যমিক শিক্ষা বোর্ড
কুমিল্লায় প্রেরণের সর্বসম্মত সিদ্ধান্ত গৃহীত হয়।"

(emphasis supplied)

The language used in the aforesaid resolution shows that the Managing Committee took final decision of dismissal of the headmaster and sent the decision to the Board for its approval. It may be noted here that the headmaster was appointed long years back and his certificate of MA is unnecessary here. Allegation of objectionable behavior with female teacher was not proved. Therefore, the aforesaid decision taken in the meeting is found to have been with *malafide* intent. The Managing Committee sent the proposal to the Board for approval through annexure 'K' which is as under-

"গত ২৮.০৮.২০১৭ খ্রিঃ তারীখের বিদ্যালয় পরিচালনা পর্ষদের ২০৮ নং সভার ২ নং আলোচ্য সূচি অনুযায়ী সাময়িক বরখাস্তকৃত প্রধান শিক্ষক জনাব মোঃ আব্দুর নুরকে চূড়ান্তভাবে বরখাস্তের সর্বসম্মত সিদ্ধান্ত গৃহীত হয়। তাহার চূড়ান্ত বরখাস্ত আপীল এ আরবিট্রেশন বোর্ড কর্তৃক অনুমোদনের জন্য প্রেরণ করা গেল।
(emphasis supplied)

Such language proves that they had already taken final decision of dismissal of respondent 4 and sent it for approval of Appeal and Arbitration Committee of the Board subsequently as if it was a routine work to be performed by Board. Moreover, from the statements made in the affidavit-in opposition as well as statement in the writ petition it is found that the school is not paying the allowances to this respondent as a suspended headmaster. The headmaster was suspended on 26.11.2016, i.e., more than 9 years ago but he received allowances only for 8 to 9 months of the whole period only in 2025 which was also paid at the

instance of Assistant Commissioner, Education and Development of DC Office and ADC (Education and ICT) as President of the Managing Committee (Annexures 11 and 12). Since, the order passed by the Board has been challenged in this writ petition and it has been stayed, therefore, the present position of the headmaster is that he is a suspended headmaster and he is entitled to get his all sorts of benefits as a suspended teacher which was not done by the school Authority. Such act of the petitioner school prove that the Managing Committee dismissed respondent 4 finally without approval of the Board and for it they did not pay the suspension allowances to him during whole period. The nature of approval, if the Board approved the dismissal, would have been a *post facto* approval and against the law and principle laid in 51 DLR (AD) 31 case.

But we find no irregularity in formation of the Inquiry Committee because as per regulation 14(2) of the Regulations, 1979 the inquiry committee is to be formed by three members and among them one would be the Chairman and at least one of the members would be from teaching profession. In forming the Inquiry Committee with an Assistant Professor of a college and two other lecturers no law has been violated and their pay scale grade is not lower than that of the headmaster. So, the submissions of the learned Advocate for the respondent 4 in this context bars no substance.

Since, we find that the very action taken against respondent 4 in the meeting of the Managing Committee being number 199 held on

26.11.2016 suspending him temporarily from service was done in gross violation of the regulation 34(2) of the Regulations, 2009 in not serving the notice as per the requirements of law with *malafide* intent, therefore, the subsequent all actions taken against him including his dismissal through meetings of the managing committee goes in vain. The Appeal and Arbitration Committee correctly passed opinion in negative and the Board with lawful authority disapproved the decision of dismissal taken by the Managing Committee. Therefore, we find no ground to interfere with the impugned decision of the Board passed on 14.02.2021.

The Rule, therefore, bears no merit. Accordingly, it is discharged without any order as to costs. The order of stay stands vacated. The petitioner is directed to comply with the order of the Board as contained in Annexure-O to the writ petition forthwith.

Communicate this judgment and order to the concerned.

Murad-A-Mowla Sohel, J.

I agree