

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.1315 of 2014

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1. Md. Naim Son Of Late Mohd. Suleiman Resident Of Village - Veera Chapra,
P.S. Shyampur Bhatha, Distt. - Sheohar

.... Petitioner/s

Versus

1. The State Of Bihar Through The Principal Secretary, Human Resources Development Department, Govt. Of Bihar, Patna
2. Director, Primary Education, Human Resource Development Department, Government Of Bihar, Patna
3. Special Director (Secondary Education) Human Resource Development Department, Government Of Bihar, Patna
4. District Magistrate Sheohar, District - Sheohar
5. District Education Officer Sheohar, District - Sheohar
6. District Programme Officer (Education) Sheohar, District - Sheohar
7. Circle Officer, Dumra Block, District - Sheohar
8. Chairman, Bihar State Madarsa Education Board Vidyapati Marg, Patna
9. Secretary Bihar State Madarsa Education Board Vidyapati Marg, Patna
10. Zahoor Mistry Son Of Late Md. Serajul Haque Resident Of Village - Veera Chapra, P.S. Shyampur Bhatha, Distt. - Sheohar

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. WASI AHMAD KHAN
For the Respondent/s : Mr. PANDEY S SAHAY
For respondents 8 & 9 : Mr. RASHID ALAM.

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 13-02-2015

Heard learned counsel for the parties.

The dispute being such which will require taking of evidence both oral and documentary to establish as to which is the phony institution and which is genuine institution as is the dispute raised in the present writ application. Such adjudication can best be made in a suit and not under Article 226 of the Constitution of India.

Writ application is dismissed.

Liberty is granted to the petitioner, if so advised, to move the civil court of competent jurisdiction for appropriate declaration, if not injunction.

(Ajay Kumar Tripathi, J)

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