

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No. 6957 of 2016

Managing Committee Of Madarsa Millate Islamia, at- Pohatti, Via- Benipur, P.S.- Bahari, District- Darbhanga through its Secertary Md. Kamruddin, Son of Late Md. Kabir, Resident of Village- Shubhankarpur Pohaddi, P.S.- Bahari, District- Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Education Department, Government of Bihar, Patna.
3. The Special Director, Secondary Education, Education Department, Government of Bihar, Patna.
4. The Special Director, Madarsa Education, Education Department, Government of Bihar, Patna.
5. The District Officer-cum-Collector, Darbhanga.
6. The District Education Officer, Darbhanga.
7. The Regional Deputy Director of Education, Darbhanga Division, Darbhanga.
8. The Bihar State Madarsa Education Board through its Secretary, Patna.
9. Sk. Md. Mohiuddin, Son of Late Sk. Md. Ismail, Resident of Village- Shubhankarpur Pohaddi, P.S.- Bahari, District- Darbhanga., the so-called Head Moulvi of Madarsa Millate Islamia.

.... Respondent/s

Appearance :

For the Petitioner/s : Mr. Ravish Chandra
For the Respondent/s : Mr. Kumar Alok- SC8
For the Madarsa Board: Mr. Rashid Alam

CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI
ORAL JUDGMENT
Date: 09-08-2016

Heard learned counsel for the parties.

Since there is a fight between the parties for identity, as to which is the correct Madarsa, which should be given recognition to, such issue cannot be decided in a summary proceeding under Article 226 of the Constitution of India.

Petitioner, however, has freedom to file a suit and get an appropriate declaration by rendering evidence, both oral and

documentary.

Writ application is dismissed with liberty as above.

(Ajay Kumar Tripathi, J)

SKM/-

AFR/NAFR	N.A.F.R.
CAV DATE	
Uploading Date	10.08.2016
Transmission Date	