

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.22482 of 2014

=====

Md. Manzur Alam Son of Late Serajuddin Resident of Village-Barhara, P.O.-
Gaina, District-Araria, Secretary of Managing Committee of Madarsa
Mohammadia, Gaina, District-Araria.

.... Petitioner

Versus

1. The State of Bihar.
2. The Special Secretary Secondary Education, Human Resources Development
Department, Bihar, Patna.
3. The Bihar State Madarsa Education Board, Patna.
4. The Chairman, Bihar State Madarsa Education Board, Patna.
5. The Secretary, Bihar State Madarsa Education Board, Patna
6. The District Education Officer, Araria.
7. The Sub-Divisional Education Officer- Cum-District Officer, Araria.
8. The Block Education Extension Officer, Araria.
9. Md. Mohsin, President, New Managing Committee of Madarsa Mohammadia
Gaira, Tola Baghwa, Barharia, P.O.-Gaina District-Araria.
10. Qumurzzama Secretary, New Managing Committee of Madarsa Mohammadia
Gaira Tola Baghwa-Barharia, P.O.-Gaira, District-Araria.
11. Md. Imtiyaz Alam Member, New Managing Committee of Madarsa
Mohammadia Gaira, Tola Baghwa Barharia, P.O.-Gaira District-Araria.
12. Md. Masiuzzama, Member, New Managing Committee of Madarsa
Mohammadia Gaira Tola Baghwa Barharia, P.O.-Gaira, District-Araria.
13. Md. Nafil Member, New Managing Committee of Madarsa Mohammadia Gaira
Tola-Baghwa Barharia, P.O.-Gaira, District-Araria.
14. Norul Hoda, Member, New Managing Committee of Madarsa Mohammadia
Gaira Tola Baghwa Barharia, P.O.-Gaira, District-Araria.
15. Md. Shamshul Haque, Head Maulvi, Madarsa Mohammadia Gaira, Tola-
Baghwa Barharia, P.O.-Gaira, District-Araria.

.... Respondents

=====

Appearance :

For the Petitioner : Mr. Obaidur Rahman, Advocate
For the State : Mr. Ashok Priyadarshi, G.A -4
For the Board : Mr. Rashid Alam, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 05-01-2016

Submission of the counsel for the petitioner, who happened
to be the appellant in appeal No. 33 of 2012, is that he was not given
adequate opportunity of hearing while deciding the issue of approval

to the Managing Committee granted by the Board.

In addition, he also submits that since the appellate authority has not clearly indicated about the status of the Committee earlier approved in terms of Annexure-1, therefore, an awkward situation has arisen with regard to the Managing Committee.

Both the submissions seem to be fallacious. One that there is a detail consideration of every aspect of the submission made by the petitioner before the appellate authority and the evidence pressed by him in support as well as there is due consideration of the materials brought before the appellate authority by both the appellants (petitioner) as well as the respondent. It is only after due consideration that the Committee constituted in terms of Annexure-2 came to be approved. By implication the earlier Managing Committee, therefore, stood de-recognized or omitted by reconstitution whose validity has been upheld by the appellate authority.

Since there is no infirmity otherwise emerging from the impugned order contained in Annexure-3 dated 27.03.2014, writ application is dismissed.

(Ajay Kumar Tripathi, J.)

veena/-

U			
---	--	--	--