

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.1274 of 2015

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1. Ahmad Reza @ Shahid Husain Son of Abdul Jabbar R/o Village - Behro, P.S. Kadwa, District - Katihar, Secretary of Managing Committee of Madarsa Jabbaria, Bentaoul Islam, P.O. Chouwki, Haripur Via Durgaganj, District - Katihar.

.... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Department of Education, Government of Bihar, Patna.
2. The Special Director (Secondary) Department of Education, Bihar, Patna.
3. The Chairman of Bihar State Madarsa Education Board, Patna.
4. The Secretary of Bihar State Madarsa Education Board, Patna.
5. The District Education Officer, Katihar.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Md. Helal Ahmad

For the Respondent/s : Mr. A. Ujjwal, SC25

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 21-04-2016

Heard learned counsel for the petitioner, counsel for the Madarsa Board and the State.

The prayer made by the petitioner for a direction upon the respondent State authorities to consider his Madarsa for the purposes of affiliation and grant of financial aid in the list of 2459 Madarsas, is a misplaced kind of prayer and expectation to have. The list of 2459 Madarsas were short-listed after due enquiry and verification way back in the year 1990 itself. This list is neither expandable nor can it be contracted by any kind of judicial interference or direction.

The Madarsa which could not find a place in those lists

cannot be ordered to be included in the list. However, as and when a separate exercise is initiated for further inclusion by the State Government, then the petitioner may get an opportunity in this regard by asserting his right for such consideration both before the Madarsa Board as well as the State Government. No relief in terms of the prayer can be granted in the given factual matrix and the background as above.

Writ application is dismissed.

(Ajay Kumar Tripathi, J)

SKM/-

AFR/NAFR	N.A.F.R.
CAV DATE	
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