

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.15022 of 2014**

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The Managing Committee of Madarsa Bakrul-Uloom Aashapur Bahera (Madarsa No.299) through its Secretary Md. Haider Ali Khan Son of Late Md. Kalim Khan, Resident of Village Aashapur, P.S. Bahera, District Darbhanga.

.... .... Petitioner

Versus

1. The State of Bihar.
2. The Secretary-cum-Commissioner, Human Resources Department, Government of Bihar, Patna.
3. The Director, Secondary Education, Government of Bihar, Patna.
4. The Special Director, Secondary Education, Government of Bihar, Patna.
5. The District Education Officer, Darbhanga, District Darbhanga.
6. The Bihar State Madarsa Education Board, Patna through its Secretary, 5 Vidyapati Marg, Patna-1.
7. The Chairman, Bihar State Madarsa Education Board, Patna, 5 Vidyapati Marg, Patna-1.
8. The Secretary, Bihar State Madarsa Education Board, Patna, 5 Vidyapati Marg, Patna-1.

.... .... Respondent

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**Appearance :**

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|--------------------|---|---------------------------|
| For the Petitioner | : | Md. Anis Akhtar, Advocate |
| For the State      | : | Mr. Ajeet Kumar, S.C.28   |
| For the Board      | : | Md. Rashid Alam, Advocate |

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**CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI**  
**ORAL JUDGMENT**  
**Date: 26-02-2016**

If the petitioner wants to establish his status as a recognized Madarsa contrary to the recognition given by the Madarsa Board then such a status will have to be declared by a civil court of competent jurisdiction after taking due evidence with regard to such assertion. A summary proceeding either before this Court or before the Madarsa Board may not be the answer especially where identity of the institution in question is the core issue.

Writ application is dismissed with liberty to the

petitioner to get an appropriate declaration from a civil court of competent jurisdiction.

**(Ajay Kumar Tripathi, J.)**

Sanjay/-

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