

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17867 of 2014

=====

Abdul Quddus son of Late Md. Shddique resident of village- Dumaria, P.S.-
Narpatganj, District- Araria.

.... Petitioner

Versus

1. The State of Bihar.
2. The Principal Secretary, Department of Education, Government of Bihar, Patna.
3. The Sepcial Director, Secondary Education, Government of Bihar, Patna
4. The District Magistrate, Araria, District- Araria
5. The Superintendent of Police, Araria, District- Araria
6. The Sub-Divisional Officer, Forbesganj, District- Araria
7. The District Education Officer, Araria, District- Araria
8. The Bihar State Madarsa Education Board, Patna, through its Secretary
9. The Chairman, Bihar State Madarsa Education Board, Patna
10. The Secretary, Bihar State Madarsa Education Board, Patna
11. The So-called Managing Committee of the Madarsa Talimul Islam Dumaria,
Chakardaha, P.S.- Narpatganj, District- Araria through its Secretary Md. Badri
@ Sheikh Idris @ Md. Idris, son of Sheikh Bhogal, resident of village-
Dumaria, P.S.- Narpatganj, District- Araria
12. Aslam Javed son of Wali Mohammad, resident of Village- Subaldah Majhua,
P.S.- Narpatganj, District- Araria
13. Md. Badiuzamman Son of Md. Nazamuddin, resident of Village- Subaldah
Majhaua, P.S.- Narpatganj, District- Araria
14. Sajjadur Rahyman son of Zainuddin, resident of village Pachhim Jhirwa, P.S.-
Narpatganj, Forbesganj, District- Araria
15. Md. Israfil son of Md. Turayee
16. Md. Sajjad Alam son of Sheikh Idris
17. Md. Asghar Alam, son of Md. Idris, Nos. 15 to 17 are resident of village-
Sheikh Tola- Dumaria, P.S.- Narpatganj, Forbesganj, District- Araria

.... Respondents

=====

Appearance :

For the Petitioner	:	Mr. Mahtab Alam, Advocate
For the State	:	Mr. Ajay Behari Sinha, S.C.19
		Mr. Neeraj Raj, A.C. to S.C.19
For Res. Nos.8 to 10	:	Md. Rashid Alam, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 25-02-2016

If there are two sets of claimants with regard to the same
institution or Madarsa, such dispute cannot be decided in a summary
proceeding under Article 226 of the Constitution of India nor is it

possible for even the Madarsa Board to decide the authenticity of such claimants.

In view of the above, the only forum available for such declaration is a civil court of competent jurisdiction. Let the petitioner get an appropriate declaration.

Writ application is disposed of with liberty as above.

(Ajay Kumar Tripathi, J.)

Sanjay/-

U			
---	--	--	--