

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.14682 of 2015

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1. Shams Mukhtar son of Badiuzzama, resident of village Pokharia P.O. Jhala P.S. Terhagachh Distt. Kishanganj

.... Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary Deptt. of Education, Bihar, Patna.
3. The Spl. Director, Secondary Education Department of Education Bihar, Patna.
4. The Distt. Programme Officer (Secondary Education) Kishanganj.
5. The District Programme Officer (Establishment), Kishanganj
6. The Chairman, the Bihar State Madarsa Education Board, Patna.
7. The Managing Committee of Madarsa, Ahmadia, Dhuwaili P.O. Jhala Police-station Terhagachh, District, Kishanganj
8. The Head Maulvi, Madarsa Ahmadia, Dhuwaili P.O. Jhala Police-station Terhagachh, District, Kishanganj

.... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr Sanjay Singh Mr. Firoz Ahmad
For the State	:	Mr. AC to SC 27
For Madarsa Board	:	Mr Md.Ziaul Qamar

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 03-05-2016

The core issue involved in the present writ application is whether the appointment of the petitioner, which is said to be on 29.1.2011, is also his date of joining. There are certain controversial circumstances surrounding the appointment, especially the joining of the petitioner, which is being claimed to be on 29.1.2011 itself.

The District Programme Officer, Kishanganj has raised certain queries and demanded documents, which will justify the stand taken in the writ application about the appointment and joining of the petitioner on the post of Hafiz. Instead of responding to the said authority, the petitioner rushes to the Court, which, in the opinion of

this Court, was pre-mature and unwarranted.

Despite exchange of pleadings and materials brought on record, which cast certain doubt about the correctness of the date of joining of the petitioner, the Court is willing to give an opportunity to the District Programme Officer, Kishanganj to verify the documents so produced by the Head Maulvi along with Annexure- 10. If the same is authentic in nature and if all those annexures have been annexed thereto, if needed, give an opportunity to the petitioner and then taken a final decision on the dispute, which has travelled to the Court.

The Court would expect such a decision to be taken within a period of three months from the date of production of a copy of this order.

The Court intentionally did not express any opinion on the merits as such lest it may prejudice the cause and the issue on either side.

Writ is disposed of with the above direction.

(Ajay Kumar Tripathi, J)

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