

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1017 of 2016

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Md. Rafique Alam, son of Latte Nayeemuddin, resident of village - Khajurbari,
P.S. Terhagachhi, District - Kishanganj Secretary of the Managing Committee of
Madarsa Raficul Uloom at Khajurbari, District – Kishanganj.

.... Appellant/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Human Resources Development Department Bihar,
Patna.
3. The Special Director, Secondary Education, Human Resources Development
Department, Bihar, Patna.
4. The District Education officer, Kishanganj.
5. The District Programme officer (Establishment), Kishanganj.
6. The Bihar State Madarsa Education Board through it's Chairman, 5 Vidyapatti
Marg, Patna.
7. The Chairman, Bihar State Madarsa Education Board, 5 Vidyapatti Marg,
Patna.
8. The Secretary, Bihar State Madarsa Education Board, 5 Vidyapatti Marg, Patna.
9. Md. Ahshan Ali Son of Late Nayeemuddin resident of village - Khajurbari,
P.O. Ganarchia, P.S. Terhagachhi, District – Kishanganj.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Brij Nandad Prasad, Advocate

For the Respondent/s :

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CORAM: HONOURABLE THE CHIEF JUSTICE

And

HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 27-04-2017



In the matter of dispute between the two Madrasas with regard to alleged right and title, the learned Writ Court finding that it is a disputed question of fact, which has to be resolved by taking oral and documentary evidence, relegated the parties to take recourse of filing a civil suit. In doing so, no error has been committed by the learned Writ Court. The appeal is dismissed.

(Rajendra Menon, CJ)

(Sudhir Singh, J)

Sunil/-

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