

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.25657 of 2013

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Md. Hasimuddin S/O Late Abdul Ali Resident Of Village- Bada
Suhagi, P.O- Chhatargachh, Ps- Pothiya, Distt- Kishanganj.
..... Petitioner

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
2. The Principal Secretary, Education Department, Govt. of Bihar, New Secretariat, Patna.
3. The Director, Department of Education, Govt. of Bihar, New Secretariat, Patna.
4. The District Magistrate, Kishanganj.
5. The Sub- Divisional Officer, Kishanganj.
6. The District Programme Officer, Kishanganj.
7. The District Education Officer, Kishanganj.
8. The Block Development Officer, Thakurganj, District- Kishanganj.
9. The Bihar State Madarsa Education Board Through Its Chairman., Vidya Pati Marg, Patna.
10. The Chairman, Bihar State Madarsa Education Board, Vidya Pati Marg, Patna.
11. The Secretary, Bihar State Madarsa Education Board, Vidya Pati Marg, Patna.
12. The Madarsa Gosiya Idgah Village Bara Sohagih, Block Thakurganj, Distt- Kishanganj Through Its Secretary.
13. The Secretary, Madarsa Gosiya Idgah Village Bara Sohagih, Block Thakurganj, Distt- Kishanganj.
14. The Chairman, Madarsa Gosiya Idgah Village Bara Sohagih, Block Thakurganj, Distt- Kishanganj.

..... Respondents

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Appearance :

For the Petitioner/s : Mr. Arun Kumar, Advocate
For the Respondent no.12: Mr.Raj Nandan Prasad, Advocate
For the Madarsa Board : Mr. Rashid Alam, Advocate

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH
ORAL JUDGMENT

Date: 29-03-2017

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



2. The petitioner seeks issuance of writ in the nature of mandamus commanding the respondents to produce order/notification by which Madarsa Gulsane Gosiya Idgah Village Bada Sohagi, P.O. – Chhatargachh, District – Kishanganj has been granted recognition by the Bihar State Madarsa Education Board, Patna, and after production of same, quash the said order/notification. He also seeks direction to the said respondents to enquire into the entire matter with regard to the grant of recognition to the aforesaid Madarsa.

3. From the pleadings available on record and the submission advanced on behalf of the petitioner, it appears that the grievance of the petitioner is that the said Madarsa Gulsane Gosiya Idgah Village Bada Sohagi, P.O. – Chhatargachh, District – Kishanganj, has been granted recognition on the basis of wrong information and incorrect documents.

4. Learned counsel for the petitioner submitted that there is another Madarsa located on a different land and on the basis of description of the said land on which the Madarsa is located, the present Madarsa is being illegally granted recognition.

5. The petitioner has not been able to satisfy this court as regards his *locus standi*. He is in no way



connected with other Madarsa, which, according to him, exists in the same village. It has transpired that petitioner was a Member of Managing Committee of Madarsa Gulsane Gosiya Idgah Village Bada Sohagi, P.O. – Chhatargachh, District – Kishanganj. It appears that the petitioner has been removed from the Managing Committee of the said Madarsa by virtue of resolution adopted by the Managing Committee.

6. I am of the view that the petitioner has no *locus standi* to maintain this application. This application is, accordingly, dismissed.

7. Dismissal of the writ application will not preclude the petitioner or any other person having *locus standi* to take up the matter in appropriate proceedings.

(Chakradhari Sharan Singh, J.)

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