

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.1068 of 2016

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1. Matiur Rahman, Son of Late Md. Idris, aged about 52 years, resident of Village- Pachahi, P.S.- Madhepur, District- Madhubani at present Secretary, Managing Committee, Madarsa Islamia Nooria Pachchi Village- Pachahi, P.S. Madhepur, District- Madhubani.

.... Appellant/s

Versus

1. The State of Bihar through Principal Secretary, Education Department, Government of Bihar Vikas Bhawan, Patna.
2. Principal Secretary, Education Department, Govt. of Bihar, Vikas Bhawan, Patna.
3. Special Secretary, Education Department, Government of Bihar, Vikas Bhawan, Patna.
4. Director, Higher Education , Education Direction Government of Bihar, Vikas Bhawan, Patna.
5. Special Director Secondary Education Government of Bihar, Patna.
6. Dr. Anjum Hashmi, son of Dr. Lutfur Rahman, resident of Village and P.O.- Pachchai, P.S.- Madhepur, District- Madhubani.
7. The Chairman, Bihar State Madarsa Education Board, 5- Vidyapati Marg, Patna.
8. The Secretary, Bihar State Madarsa Education Board, 5- Vidyapati Marg, Patna.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Alim Jang Khan, Advocate

For the Respondent/s :

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

**HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY**

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

8 03-07-2017

In the matter of a notification issued by the State Government under Section 28 of the Bihar State Madarsa Education Board Act, 1981, the learned Division Bench has decided the issue based on the following judgments:

1. Abdul Azeem Haidri versus The State of Bihar and



others, reported in 2001 (3) BLJ 83;

2. Managing Committee, Madarsa Islamia Falahul Muslemeen, Sheohar & others versus The State of Bihar & others, reported in 1995 (2) P.L.J.R. 447 and also reiterated in the case of Md. Shamir Jung Khan versus The State of Bihar, reported in 2010 (1) P.L.J.R. 149.

There is nothing to indicate that the judgments in question are not applicable in the present case.

Keeping in view the aforesaid, finding no ground for making indulgence, this appeal stands dismissed.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

K.C.jha/-

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