

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.5668 of 2014

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Md. Moinuddin, Son of Noor Mohammad, resident of Village- Masuria,
P.S. Mahalgaon, District- Araria.

.... Petitioner

Versus

1. The Bihar State Madarsa Education Board, Patna through its Secretary, Bihar State Madarsa Education Board, Patna.
2. The Chairman, Bihar State Madarsa Education Board, Patna.
3. The Secretary, Bihar State Madarsa Education Board, Patna.
4. The Managing Committee, Madarsa Rahmana, Fatehpur, Dangraha, P.O.- Mohammadia, Via- Qasba, P.S.- Qasba, District- Purnea, Through Its Secretary.
5. The Secretary, Managing Committee, Madarsa Rahmania, Fatehpur Dangraha, P.O.- Mohammadia, Via- Qasba, P.S.- Qasba, District- Purnea, Madarsa No. 337.
6. The District Education Officer, Purnea.
7. The State of Bihar, Through Secretary, H.R.D., Patna.

.... Respondents

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Appearance :

For the Petitioner : M/S. Manish Kumar and Md. Ziquen,
Advocates.

For the Madarsa Board : Mr. Rashid Alam, Advocate.

For the State : Mr. Raisul Haque, S.C. 10 and Md.
Obaidullah, A.C. to S.C. 10.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 29-11-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The following reliefs have been sought for by the
petitioner in the present writ application.

“ 1. That the instant writ application is
being filed in this Hon’ble Court for
issuance of an appropriate writ or
order or direction commanding the
respondents by way of quashing the
order dated 26.04.2013 issued under
Memo No. 3091-94 dated 26.04.2013



duly signed by the Secretary, Bihar State Madarsa Education Board, Patna (hereinafter referred to as 'the Board') as contained in Annexure-5 to the writ application whereby and whereunder the Secretary of the Board accorded approval of a Resolution No. 2 dated 07.10.2012 taken by the Managing Committee of the Madarsa Rahmanea Fatehpur Dengraha, P.O. Mohammadia, Via-Qasba, District-Purnea, Madarsa No. 337 (hereinafter referred to as 'the Madarsa') as contained in Annexure-3 to the writ application terminating the services of the petitioner which are itself illegal, malafide, arbitrary and against the principles of natural justice as well as against all cannons of law."

Considering the reliefs as sought for by the petitioner in the present writ application, the petitioner is directed to prefer statutory appeal before the Special Secretary, Bihar State Madarsa, Education Board, Patna, under Section 28 of The Bihar State Madarsa Education Board Act, 1981.

With the aforesaid observations and directions, the present writ application stands disposed of.

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(Sudhir Singh, J)

