

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.6528 of 2017

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Md. Farid Alam, Son of Late Sheikh Kamiruddin, Resident of
Village- Singhari Post Office- Piyaji, Police Station- Rauta, District-
Purnea, Secretary of New Managing Committee of Madarsa, Imadul
Muslameen Singhari Madarsa No.592.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Education, Government of Bihar, Patna.
2. The Director, Secondary Education Department, Government of Bihar, Patna.
3. The Joint Director, (Secondary Department Government of Bihar, Patna.
4. District Education Officer, Purnea.
5. The Bihar State Madarasa Education Board, Patna through its Chairman, Patna.
6. The Chairman of Bihar State Madarsa Education Board, Patna.
7. The Secretary, Bihar State Madrasa Education Board, Patna.
8. The Inspector-cum-Academic in Charge of State Madarsa Education Board, Patna.
9. Block Education Officer Block Baisa District- Purnea.
10. Md. Muzaffar Hussain, son of Late Zulfat Hussain, resident of Singhari, Post Office- Pijaji, Police Station- Rauta, District- Purnea.
11. Md. Hifzur Rahman, son of Late Habibur Rahman, resident of Village- Singhari, P.O.- Piyaji, Police Station- Rauta, District- Purnia.
12. Md. Khatibur Rahman, Son of Late Haibur Rahman, resident of Village- Singhari, Post Office- Piyaji, Police Station- Rauta, District- Purnea, The Head Maulvi of Imdadul Muslamia Madarsa No.5921.
13. Md. Salah Uddin, Son of Late Md. Jamaluddin, resident of Village- Rangamati, Post Office- Talbari, Police Station- Amour,



District- Purnea.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Md. Helal Ahmad, Adv.
For the Madarsa Board : Mr. Rashid Alam, Adv.
For the State : Mr. Prabhakar Jha, G.P-27

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL JUDGMENT & ORDER

Date: 29-06-2017

There is a Madarsa, namely, Imdadul Muslameen (Madarsa N. 592), in the village-Singhari, in the district of Purnea. Two bodies are claiming to be duly constituted Governing Body of the said Madarsa, one headed by Md. Muzzaffar Hussain (respondent No. 10) and the other headed by one Sayeedur Rahman, as Chairpersons. The petitioner claims to be the Secretary of the Managing Committee, headed by said Sayeedur Rahman.

2. The petitioner is aggrieved by an order, dated 12.04.2017, passed by the Joint Director (Secondary Education), Govt. of Bihar, Patna (respondent No. 3), whereby, the approval, granted to the Managing Committee of the petitioner by the Full Board of Bihar State Madarsa Board, has been set-aside. By the said order, the Joint Director, exercising his appellate power, has accepted the suggestion



made by one Enquiry Officer, Shri Nurul Islam, to allow the Managing Committee, headed by Md. Muzzaffar Hussain (respondent No. 10), to manage the affairs of Madarsa for a period of six months and for the period of next six months the Managing Committee, headed by said Sayeedur Rahman, is allowed to manage the affairs.

3. Learned counsel, appearing on behalf of the petitioner, has submitted that the appellate authority could not have unsettled the order legally passed by the Full Board of the Bihar State Madarsa Board.

4. I have perused the impugned order and I find that the rival claims of the two Managing Committees, one headed by Md. Muzzaffar Hussain (respondent No. 10) and the other headed by said Sayeedur Rahman, are based on numerous disputed questions of facts, which cannot be adjudicated upon in the present writ proceedings.

5. This application is, accordingly, dismissed.

6. The petitioner shall have the liberty to avail his remedy by filing suit.

(Chakradhari Sharan Singh, J.)

Praveen-II/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	02.07.2017
Transmission Date	N/A

