

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.10601 of 2014

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Md. Equbal Hussain, S/o Late Bahdur Hussain, resident of Village Rasoolganj, Police Station Kochadhaman, District Kishanganj.

.... Petitioner

Versus

1. The Bihar State Madarsa Education Board through its Secretary, Vidyapati Marg, Patna.
2. The Chairman, Bihar State Madarsa Education Board, Vidyapati Marg, Patna.
3. The Secretary, Bihar State Madarsa Education Board, Vidyapati Marg, Patna.
4. The District Education Officer, Kishanganj.
5. The Managing Committee, Madarsa Islamia Azizia Rasoolganj Mohammadpur, Madarsa No. 460, P.S. Kochadhaman, District Kishanganj through its Secretary.
6. The Secretary, Managing Committee, Madarsa Islamia Azizia Rasoolganj Mohammadpur, Madarsa No. 460, P.S. Kochadhaman, District Kishanganj.
7. The Head Moulvi, Madarsa Islamia Azizia Rasoolganj Mohammadpur, Madarsa No. 460, P.S. Kochadhaman, District Kishanganj.
8. The Tahir Hussain, S/o Late Md. Bechan Ali, resident of Rasoolganj Mohammadpur, P.S. Kochadhaman, District Kishanganj. At present Teacher nominee Madarsa Islamia Azizia Rasoolpur Mohammadpur, P.S. Kochadhaman, District Kishanganj.

.... Respondents

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Appearance :

For the Petitioner : Mr. Binay Kumar, Advocate.
For the State : Mr. Md. Rashid Alam, Advocate.
For the Madarsa Board : Mr. Rashid Alam, Advocate.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 28-11-2017 Heard learned counsel for the petitioner and learned counsel for the respondents.

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

“1 (I). For issuance of a writ of certiorari or any other appropriate writ order or direction for quashing the order of the



Chairman, Bihar Madarsa Education Board dated 24.04.2014 contained in Memo No. 2470-71 issued by the Secretary, Bihar State Madarsa Education Board, Patna, by which he has most arbitrarily and quite malafidely terminated the service of the petitioner in place of the Head Maulvi without providing any opportunity of hearing to him.

(II) For issuance of a writ of mandamus or any other appropriate writ order or direction commanding the respondent authorities to reinstate the petitioner in his service and permit him to join duties as a teacher in the Madarsa in question.

(III) For issuance of an appropriate writ or any other appropriate writ order or direction commanding the respondents to pay the arrears of salary and subsistence allowance for the period of suspension commencing from 29.10.2007.”

Considering the reliefs as sought for by the petitioner in the present writ application, the petitioner is directed to prefer an appeal before the competent authority within a period of thirty days from the date of order which shall be disposed of within a period of six months from filing of such appeal.

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

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(Sudhir Singh, J)

