

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8854 of 2016

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1. Md. Jawed Akhtar, aged about 45 years, son of Md. Yunus, resident of Village- Salimpur, P.S.- Jagdishpur, District- Bhagalpur.

.... Petitioner/s

Versus

1. The Bihar State Madarsa Education Board, through its Chairman, 5-Vidyapati Marg, Patna.
2. The Secretary, Bihar State Madarsa Education Board, 5-Vidyapati Marg, Patna.
3. Special Director, Secondary Education Bihar, Patna, Vikas Bhawan, Patna.
4. District Education Officer, Bhagalpur.
5. Md. Ahteshamul Haque son of Md. Irshad resident of Village- Belwa Bari Sabimpur, P.O.- Mohiuddinpur, P.S.- Jagdishpur, District- Bhagalpur.
6. Md. Akhtar Ahmad, S/o Md. Mohib resident of Salimpur P.O.- Mohiuddinpur, P.S.- Jagdishpur, Distt- Bhagalpur.
7. Head Maulvi of Madarsa Anisul Husna Salimpur, P.O.- Mohiuddinpur, Distt- Bhagalpur.
8. Managing Committee of Madarsa Anisul Haque Salimpur, P.O.- Mohiuddinpur, Dist- Bhagalpur through its Secretary.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Alim Jang Khan, Advocate
For the Respondent/s : Mr. Rajesh Singh- GP-16

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

4 08-04-2017 The petitioner claims to be the son of Md. Yunus, who had donated land for establishment of Madarsa Anisul Husna, Salimpur. In that capacity he contends that he has right to oversee the functioning of the Madarsa. This plea is on the basis that in the deed of wakf itself, the donor had required his two heirs to be the persons looking after the affairs of the Madarsa. The petitioner is aggrieved by certain appointments made by Managing Committee



of the said Madarsa against the post of Maulvi and Assistant Teacher. He had preferred an appeal under Section 28 of Bihar State Madarsa Act. The said appeal has been dismissed by the Joint Director, Secondary Education, mainly on the ground that the petitioner had no locus standi to question the appointments made since he was neither member of the Managing Committee nor an applicant for the said post.

Learned counsel appearing on behalf of the petitioner has vehemently argued that the Managing Committee of the said Madarsa is mismanaging the affairs of the Madarsa in various ways, inasmuch as persons who do not have the requisite qualification, have been appointed against various posts and close relatives of the members of the Managing Committee have been allowed to be appointed.

I do not find any illegality in the order dismissing the petitioner's appeal on the ground that he does not have any locus standi. The said order passed by the Joint Director, Secondary Education, does not require any interference.

However, in the facts and circumstances of the case, I dispose of this application with an observation and direction that the Chairman, Madarsa Board should look into such grievance and take decision in this regard within a period of two months. The



interim order dated 22.08.2016 stands vacated.

(Chakradhari Sharan Singh, J)

Vats/-

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