

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6862 of 2015

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Ali Ahmad, Son of Late Md. Farman, Resident of Village Belaspur, P.O Murla, P.S Ramghrawa, District- East Champaran.

... .. Petitioner/s

Versus

1. The Bihar State Madarsa Education Board, Patna.
2. Chairman Bihar State Madarsa Education Board, Patna.
3. Secretary Bihar State Madarsa Education Board, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Subhash Kumar
For the Respondent/s	:	Mr. Md. Rashid Alam

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 28-11-2018 The issue involved in the present writ application whether the petitioner is entitled to extension of service up to the age of 65 years in terms of Rules 21 of 1976 Rules.

Learned counsel appearing on behalf of the petitioner would submit that petitioner is persian teacher and as such he is entitled to continue up to the age of 65 years.

Counsel appearing on behalf of the Madarsa Board opposes the prayer made on behalf of the petitioner, saying that Rule 21 provides for extension in a situation when persian teacher is recognized as scholar.

In the instant case neither Managing Committee nor Madarsa Board or any other authorities in the Education Department has recognized the petitioner as scholar of persian, therefore, the petitioner is not entitled to the benefit of



extension. In addition thereto, he submits that petitioner was 62 years old at the time of filing of the writ petition and today he is over 65 years and as such no useful purpose would be served in passing any order in the instant case after the petitioner has attained the age of 65 years.

Considering the totality of the facts situation, the Court is not inclined to grant any indulgence. The writ petition is accordingly, dismissed.

(Anil Kumar Upadhyay, J)

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