

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.508 of 2018

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Taufique Alam S/o Md. Mustafa Villager - Islampur, P.S. - Barari, District - Katihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Human Resource Development Department, Government of Bihar, Patna.
2. The Principal Secretary, Secondary Education, Government of Bihar, Patna.
3. The Director, Secondary Education, Government of Bihar, Patna.
4. The Collector, Katihar.
5. The District Education Officer, Katihar.
6. The District Programme Officer, Establishment, District - Katihar.
7. The Secretary, Bihar State Madarsa Board, Buddha Marg, Patna.
8. The President, Madarsa Misbahul Ulum, Islampur, Villager - Islampur, P.S. - Barari, District - Katihar.
9. The Secretary, Madarsa Misbahul Ulum, Islampur, Villager - Islampur, P.S. - Barari, District - Katihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Kundan Kumar Singh
For the Respondent/s	:	Mr. S.C. Mishra-SC-16
For the Board	:	Md. Rashid Alam

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 23-07-2018 Heard learned counsel for the parties.

2. This application has been filed seeking direction to the respondents to dissolve the Managing Committee of the Madrasa Misbahul Ulum, Islampur Madarsa no.625 as according to the petitioner, the said Committee has become defunct inasmuch as two of its members died ten years ago and the present Secretary is functioning as Block Teacher and, therefore, does not have time to look after the functioning of the Madrasa.



3. In support of the plea a letter addressed to the Secretary, Bihar State Madrasa Education Board sent under the signatures of the villagers of the concerned village has been brought on record, wherein a demand has been made for dissolution of the Committee of the concerned Madrasa.

4. Learned counsel appearing on behalf of the Board has submitted that the Board as such does not have any role in dissolution or constitution of the Managing Committee of a Madrasa. He submits that local people can constitute or dissolve the Managing Committee of the Madrasa and the role of the Madrasa is to approve the constitution of the Committee, in accordance with law.

5. Learned counsel appearing on behalf of the petitioner in response, has submitted with reference to Annexure-2 of the writ application that as a matter of fact, the local people have already, in a meeting decided to dissolve the Managing Committee, which is presently functioning, which consisted of members of one family and persons related among each other. He has submitted that it is the duty of the Board to consider the said aspect in relation to dissolution of the Managing Committee.

6. Be that as it may, in the facts and circumstances of



the case, I consider it apt to dispose of the writ application with an observation that it will be open to the petitioner to approach Bihar State Madrasa Education Board, if any, to show and establish new Managing Committee of concerned Madrasa has been constituted after dissolution of the earlier Committee. If the petitioner approaches the Board in this regard, the Court expects that the Board shall take a decision thereon in accordance with law, within a reasonable period of time.

7. This application stands disposed of.

(Chakradhari Sharan Singh, J)

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