

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No. 1535 of 2015**

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1. Manirul Islam, Son of Amir Hussain, resident of village- Kolhan, P.O. Kharsauna, P.S. Azamnagar, District- Katihar.
  2. Managing Committee of Madarsa Islamia at Kolhan, P.O. Kharsauna, P.S. Azamnagar, District- Katihar through its Secretary Md. Mustaque, son of Late Abdul Ghafar.

.... .... Petitioner/s

Versus

1. The State of Bihar.
2. The Special Director Secondary Education, Human Resources Development Department, Bihar, Patna.
3. The District Education Officer, Katihar.
4. The District Programme Officer, Katihar.

.... .... Respondent/s

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**Appearance :**

For the Petitioner/s : Mr.  
For the Respondent/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH**  
**ORAL JUDGMENT**

**Date: 18-09-2018**

Heard learned counsel for the petitioners and the State.

2. The petitioners have moved the Court for the following reliefs:

*“That this application is being filed for issuance of an appropriate writ or orders, directing the respondent No. 3 and 5 the District Education Officer and District Programme Officer, Katihar for making payment of salary as fixed by the State Government to the petitioner no. 1, who has been duly appointed by the petitioner no. 2, the managing committee of the Madarsa Islamia at Kolhan, District- Katihar on the vacant and sanctioned post of Assistant teacher (Alim Unit) following all norms and Procedure for regular appointment as laid down by the State Government.”*



3. After some arguments, in view of the objection raised by learned counsel for the State that an alternative forum is there for the petitioners to move prior to invoking the writ jurisdiction of the Court, learned counsel for the petitioners submitted that he may be permitted to withdraw the writ application with liberty to move before the District Teachers Employment Appellate Authority, Katihar with regard to their present grievance.

4. Learned counsel for the State does not object.

5. In view thereof, the writ petition stands disposed off with liberty aforesaid.

6. If an appeal is filed by the petitioner before the District Teachers Employment Appellate Authority, Katihar within six weeks from today, the same shall be considered and decided on merits expeditiously and within the statutory period.

**(Ahsanuddin Amanullah, J.)**

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