

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.17332 of 2013**

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Shafi Ahmad Ansari Son Of Md. Jamshed Ansari Resident Of Villaage -  
Lahgaria, P.O. Manman Via Barsoi, District - Katihar

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary, Department Of Education, Government Of Bihar,  
Patna
3. The Special Director, Secondary Education, Department Of Education, Govt.  
Of Bihar, Patna
4. The Bihar State Madrasa Education Board, Patna Through Its Secretary
5. The Chairman, Bihar State Madrasa Education Board, Patna
6. The Secretary, Bihar State Madrasa Education Board, Patna
7. The District Education Officer, District Katihar
8. The Managing Committee Of The Madrasa, Jamea Shareh At Manman  
Lahgaria, P.O. Manman Via Barsoi, District - Katihar Through Its Secretary
9. Abdul Razzaque Son Of Altaf Hussain At & P.O. - Manman Via Barsoi,  
District - Katihar
10. Md. Atif Alam Son Of Abdur Sattar At Rahyampur Kurhela Bobra Via  
Salmari, P.S. Kodwa, Distt. - Katihar
11. Md. Zulfequar Ali Son Of Md. Serajuddin Haidar Resident Of Village -  
Langaria, P.O. Manman Via Barsoighat, P.S. Barsoi, District - Katihar

... .. Respondent/s

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**Appearance :**

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|----------------------|---|------------------------------------|
| For the Petitioner/s | : | Mr. Md. Anis Akhtar, Advocate      |
| For the Respondent/s | : | Ms. Prakritiya Sharma, AC to SC-25 |
| For Madarsa Board    | : | Md. Rashid Alam, Advocate          |

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**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY**  
**ORAL ORDER**

4      20-08-2018                      Heard learned counsel for the petitioner and the  
  
counsel appearing on behalf of the State as well as Madarsa  
  
Board.

The only issue involved in the present writ  
application is whether the Chairman of the Madarsa Board has  
jurisdiction to pass order, contained in Annexure-14.

Learned counsel for the petitioner submits that it is



Madarsa Board and not the Chairman as the earlier decision was taken by the Chairman and there is no provision for review of the order once passed by the Chairman.

Under the aforesaid circumstances, the order contained in Annexure-14 cannot sustain. It is accordingly, quashed.

The matter is remitted to the Bihar State Madarsa Board to examine the case of the petitioner and respondents and after hearing the parties pass a fresh order in accordance with law after compliance of the principles of natural justice.

With the aforesaid, the writ application stands disposed of.

**(Anil Kumar Upadhyay, J)**

Ravi/-

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