

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1550 of 2017

In

Civil Writ Jurisdiction Case No.6952 of 2017

Alhaj Md. Amjad Ali, the Secretary of Madarsa Matlaul Uloom at Simakant Nagar, Raja Pokhar, P.O. Kant Nagar Via Goru Bazar, P.S. Barari, district Katihar ... Appellant

Versus

1. The State Of Bihar
2. The Joint Director, Secondary Education Department, Government of Bihar, Bihar, Patna
3. The District Programme Officer (Establishment), Katihar
4. The Bihar State Madarsa Education Board, 5-Vidyapati Marg, Patna
5. The Chairman, Bihar State Madarsa Education Board, 5-Vidyapati Marg, Patna
6. The Secretary, Bihar State Madarsa Education Board, 5-Vidyapati Marg, Patna
7. Md. Fazlur Rahman, the Secretary of old Managing Committee, Madarsa Matlaul Uloom at Simakant Nagar, Raja Pokhar, P.O. Kant Nagar Via Goru Bazar, P.S. Barari, district Katihar, Madarsa no. 635 ... Respondents

Appearance :

For the Appellant : Mr. Md. Ataur Rahman, Adv.
For the Respondents : Mr. ASHUTOSH RANJAN PANDEY -AAG15

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

3 20-03-2018 This letters patent appeal has been filed to challenge the part of the judgment and order, dated 12.10.2017, passed in C.W.J.C. No. 6952 of 2017. The learned writ Court had remanded back the matter to appellate authority and the interim protection was granted and the appellate authority was directed to take decision within three months. The period of three months have already expired and the order, dated 12.10.2017, vacated.



We see no reason to keep the matter pending. In case the appellate authority had not decided the matter, the parties are free to take recourse in accordance with law.

Considering the fact that the learned writ Court has only regulated the appellant, herein, to take recourse of remedy by filing the appeal before the appellate authority and from the averments made in the petition it appears that there is suppression of fact, we see no reason to interfere, therefore, the appeal is dismissed.

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

Shamshad/-

U			
---	--	--	--

