

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12752 of 2016

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1. Md. Mansoor Alam, Son of Sayeed Ali Biswas, resident of Village- Chhagalia, P.S.- Kishanganj, District- Kishanganj.
 2. Md. Abdur Razzaque, Son of Zullu Rahman Resident of Village- Chhoti Gidarmari, P.S.- Sukhasan, District- Katihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Human Resources Development, Bihar, Patna.
2. The Chairman, Bihar State Madarsa Education Board, Patna.
3. The Secretary, Bihar State Madarsa Education Board, Patna.
4. The District Education Officer, Kishanganj.
5. The Managing Committee of the Madarsa Islahul Muslameen Chhagalia, P.S.- Kishanganj, District- Kishanganj through its President.
6. Md. Abdul Muneem Son of Abdur Raseed
7. Md. Abdur Rahman Son of Md. Abdur Raseed
8. Amizul Haque, Son of Mofijuddin
9. Md. Durul Hoda, son of Mes. Naeemuddin
10. Munna Raja Khan son of Md. Iliayas Khan
11. Aalimuddin son of Md. Maniruddin Respondent No.6 to 11 are in Madarsa Islahul Muslameen Chhagalia, P.S.- Kishanganj, District- Kishanganj.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Amal Kumar Sinha, Advocate
For the Respondent/s	:	Mr. Rashid Alam, Advocate
For the State	:	Mr. J.K. Roy,-1, SC-13

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 13-03-2018 Heard learned counsel for the petitioners and the counsel appearing on behalf of the respondents.

Petitioners are aggrieved by the order of the Chairman, Bihar State Madarsa Board Education Department dated 5.5.2016. Against the order of the Chairman of the Madarsa Board, there is statutory appeal against the Chairman before the Special Secretary designated as Appellate Authority against the decision of the Madarsa Board.



In view of the statutory appeal provided under the scheme of the Act, counsel for the petitioners is permitted to withdraw this writ application in order to approach the Appellate Authority namely, Special Secretary (Education) Government of Bihar designated as Appellate Authority and if such appeal is filed within a period of one month from today, the Appellate Authority is required to decide the appeal on its own merit after condoning the delay in filing the appeal in view of the fact that the petitioner was pursuing remedy before this court by way of filing writ petition which remain pending since 5.8.2016.

With the aforesaid, the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

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