

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1658 of 2016

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1. Ishtiaque Ahmad, son of Sk. Md. Saheem, resident of Village Sapahi, P.S. Dhaka, District- East Champaran.
 2. Md. Zeyaul Haque, son of Md. Basheer, resident of Village- Bahlolpur, P.S.- Dhaka, District- East Champaran.
 3. Md. Khairullah son of Md. Sharif, resident of Village- Bahlolpur, P.S.- Dhaka, District- East Champaran.
 4. Md. Khurshid Alam, son of Ghulam Mustafa, resident of Village- Mohammadpur, P.S. Patahi, District- East Champaran.
 5. Md. Ekramul Haque, son of Sk. Shamshuddin, resident of Village- Mohammadpur, P.S. Patahi, District- East Champaran.
 6. Nasim Ahmad, son of Manzoorul Haque, resident of Village- Mohammadpur, P.S. Patahi, District- East Champaran. Petitioner/s

Versus

1. The State of Bihar.
 2. The Principal Secretary, Human Resources Development Department, Education Department, Bihar, Patna.
 3. The Special Director, Secondary Education, Bihar, Patna.
 4. The District Education Officer, East Champaran at Motihari.
 5. The District Programme Officer (Establishment) East Champaran at Motihari.
 6. The Bihar State Madarsa Education Board through its Chairman, 5 Vidyapati Marg, Patna.
 7. The Chairman, Bihar State Madarsa Education Board, 5 Vidyapati Marg, Patna.
 8. The Secretary, Bihar State Madarsa Education Board, 5 Vidyapati Marg, Patna.
 9. Md. Atequr Rahman, son of Sk. Abdul Aziz, resident of Village- Mohammadpur, P.S. Patahi, District- East Champaran. Respondent/s
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Appearance :

For the Petitioner/s : Mr. Raj Narayan Prasad, Advocate
Mr. Obaidur Rahman, Advocate
For the Respondent/s : Mrs. Shilpi Keshri, AC to AAG-X
For the Madarsa Board : Mr. Rashid Alam, Advocate

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

Date: 02-04-2018

Heard learned counsel for the petitioners and respondents.

2. Learned counsel for the petitioners submits that the matter is pending before the Madarsa Board. On the other hand, learned counsel for respondent Board submits that nothing is pending, which requires adjudication.



3. Having regard to the contention of the petitioners that the matter is pending at the level of Bihar State Madarsa Education Board, the writ application is disposed of at the peril of the petitioner, if any matter is pending lis at the level of the Madarsa Board, the Board is expected to decide the pending adjudication with regard to the petitioners within a period of three months from the date of receipt/production of a copy of this order. If the Board has already decided the lis, no order need be passed.

4. It is made clear that this Court has not examined the contention of the petitioners whether the issue is to be adjudicated by the Madarsa Board or even the Court is not in a position that whether the dispute is pending at the level of the Madarsa Board. The Court proceeds only on the contention of the petitioners and as such liberty shall be available to the petitioners to approach the Madarsa Board for redressal of their grievance and establish before the Madarsa Board that justifiable dispute is pending before the Madarsa Board.

5. With the aforesaid, the writ application stands disposed of.

Uday/-

(Anil Kumar Upadhyay, J)

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	13.04.2018
Transmission Date	

