

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.6484 of 2017

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The New Managing Committee Of Madarsa Nomania Dumaria Idgah
..... Petitioner/s

Versus

The State of Bihar & Ors
..... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Sinha, Adv.
For the State : Mr. Narendra Kumar, AC to GPXX
For the Respondent No. 10: Mr. Manish Kumar, Adv.
For the Board : Mr. Rashid Alam, Adv.

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER**

3 19-06-2018 The impugned order has been passed by Mr. Vijay Kumar Pandey, Joint Director, Secondary Education exercising power of the appellate authority under Section 28 of the Bihar State Madarsa Education Board Act, 1981 (*hereinafter referred to as the 'Board'*).

This is not in dispute that this Court has already held that the said Vijay Kumar Pandey was not duly appointed as an Appellate Authority who exercised such power.

The impugned order, therefore, stands set aside.

The appeal, preferred by the petitioner registered as Appeal No. 47 of 2015, be decided afresh by the competent authority in accordance with law within a period of three months from the date of receipt/production of a copy of this order.

Learned counsel for the Board shall be at liberty to



raise the maintainability of the appeal before an appropriate court/forum.

(Chakradhari Sharan Singh, J)

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