

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9689 of 2017

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Rampravesh Kushwaha @ Ram Pravesh The President of the Madarsa
Naiyrul Islam Fazilpur, P.O.-Kandh Pakar, District-Siwan

... .. Petitioner/s

Versus

1. The Bihar State Madarsa Education Board, Patna Vidayapati Marge, Patna through the Chair Man and the Secretary.
2. The Collector, Siwan
3. The Special Director, Secondary Education, Bihar Patna
4. The District Education Officer, Siwan
5. The District Programme Officer, Siwan
6. The District Establishment Officer, Siwan
7. The Block Development Officer, Andar

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Raj Kishore Prasad
For the Madarsa Board	:	Md. Rashid Alam
For the State	:	Mr. Prabhat Ranjan Singh, AC to AAG-15
For the Intervener	:	Mr. Shree Kant Pandey

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

4 29-10-2018 Heard learned counsel for the parties.

The petitioner claims that he is the president of Madarsa Naiyrul Islam Fazilpur in the district of Siwan. He has sought for a direction to the respondents to keep the Madarsa in the category of aid receiving so that the salary of teaching and non-teaching staff may be paid since, according to the petitioner, the said Madarsa falls in the category of 278 affiliated Madarsas.

Learned counsel, appearing on behalf of the State Madarsa Board, has produced before this Court a copy of the



order dated 29.07.2016 passed in CWJC No. 2358 of 2016, which was filed by the Secretary of the same Madarsa, namely, Sunil Kumar. This Court by the said order dated 29.07.2016, refused to issue any direction for payment of salary or release of fund on recording a finding that Madarsa, in question, was not recognized by the State of Bihar. An L.P.A. was preferred against the said order dated 29.07.2016 passed in case of Sunil Kumar (supra), giving rise to L.P.A. No. 1708 of 2016.

Learned counsel, appearing on behalf of the Board, has produced before me a copy of the order dated 18.08.2018, passed in said L.P.A. No. 1708 of 2016, from which, it appears that the said appeal was withdrawn with a liberty to move the Government for raising the claim for grant of recognition.

In view of the order dated 29.07.2016, the claim, which has been raised in the present writ application, cannot be entertained.

This writ application is, accordingly, dismissed.

(Chakradhari Sharan Singh, J)

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