

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16839 of 2016

Md. Sadre Alam, S/o Late Md. Anwar, Resident of Village- Jagat Kharsahi,
P.S.- Raniganj, District- Arariya.

... .. Petitioner

Versus

1. The State of Bihar, through the Principal Secretary, Education Department, Bihar, Patna.
2. The Principal Secretary, Govt. of Bihar, New Secretariat, Patna.
3. The District Magistrate, Araria.
4. The District Education Officer, Arariya.
5. The Block Education Officer, Raniganj, Arariya.
6. The Chairman, Bihar State Madarsa Education Board, Patna.
7. The Secretary, Bihar State Madarsa Education Board, Patna.
8. The Chair-Man, Shiksha Samitee, Madarsa Islamia Faijul Ullum, Jagata Arariya Madarsa No. 876, District- Arariya.
9. The Secretary, Shiksha Samitee, Madarsa Islamia Faijul Ullum, Jagata Arariya Madarsa No. 876, District- Arariya.
10. Md. Ibrahim Head Moulvi, Madarsa Islamia Faijul Ullum, Jagata Arariya Madarsa No. 876, District- Arariya.

... .. Respondents

Appearance :

For the Petitioner	:	Mr. Obaidur Rahman, Advocate
For the Respondents	:	Mr. Jitendra Kumar Roy-Sc13
For the Board	:	Mr. Rashid Alam, Advocate

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 29-11-2018 Counter affidavit has been filed on behalf of respondent no.4. It has been stated that the petitioner was appointed in the Madrasa in question on the compassionate ground in 2002 and respondent no.10 is having 33 years length of service who has initially been appointed by the Managing Committee at the time of establishment of the Madrasa in question, i.e., in 1977. Respondent no.10 is also having old “Fazil” degree whereas the petitioner has recently passed the said examination without following the departmental norms.



Reasons assigned in the counter affidavit for not appointing the petitioner as headmaster have not been denied or disputed by the petitioner by filing re-joinder.

In view of the aforesaid, admitted position which emerges from the records is that the petitioner is not entitled for the promotion in question.

The writ petition is devoid of merit and is dismissed.

Shashi

(Madhuresh Prasad, J)

U			
---	--	--	--

