

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.596 of 2018

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Khaja Mamum, Son of Siddique Baisi, Resident of Village- Chandragaan, P.O. Khoksa, Police Station- Baisi, District- Purnea.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Human Resources and Education Department Government of Bihar, Patna.
2. The District Magistrate, Purnea.
3. The District Education Officer, Purnea.
4. The Block Education Officer, Purnea.
5. The Chairman, Bihar State Madarsa Education Board, Bihar, Patna.
6. The Secretary Bihar State Madarsa Education Board, Bihar, Patna.
7. The Managing Committee Madarsa Mainul Islam, Gharib Nawaj Chandragaan, P.S. Khokasa, P.S. Baisi, District Purnea.
8. Md. Nawazish Karim S/o Md. Sarafat Hussain
9. Md. Amanat S/o Najmul
10. Md. Naiyer Alam Son of Md. Tohid
11. Md. Musfique son of Md. Mizaz
All are the residents of Village- Charagawan, P.O. Khokasa, P.S. Baisee, Distt Purnea.
12. Jalal Ahmad Son of Abdul Latif Resident of Village- Simolia, P.O. Konharia, P.S. Baisi, District Purnea.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dhaneshwar prasad Gupta, Advocate
For the Respondent/s : Mr. Ashutosh Ranjan Pandey, AAG-15
For the Madarsa Board : Mr. Rashid Alam, Advocate

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL JUDGMENT

Date: 16-03-2018

In view of the fact that the petitioner has alternative remedy before the statutory Appellate Authority, namely, the Special Secretary, the petitioner seeks permission to withdraw this writ application in order to move the Appellate Authority for redressal of his grievance.

Learned counsel appearing of the Madarsa Board



submits that in fact the petitioner does not come within the purview of the aggrieved person and, as such, neither the writ application is maintainable nor the appeal is maintainable.

However, without going into the merit of the controversy, the writ application is disposed of with liberty to the petitioner to move the Appellate Authority, who shall examine the claim of the petitioner in accordance with law and if he is aggrieved person and he has legitimate grievance, the Appellate Authority will address the issue raised in the appeal.

(Anil Kumar Upadhyay, J)

Uday/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	20.03.2018
Transmission Date	

