

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14863 of 2017

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Shahida Shaheen, Wife of Md. Shakil resident of Village- Pilakhwara,
P.O. Parsa, P.S.- Keoti, District- Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar through, the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Human Resources Development Department, Government of Bihar, Patna.
3. The Special Director, Secondary Education Government of Bihar, Patna.
4. The District Education Officer, Darbhanga.
5. The District Programme Officer (Establishment), Darbhanga.
6. The Bihar State Madarsa Education Board, Patna through its Secretary, 5 Viyapati Marg, Patna- 800001.
7. The Chairman Bihar State Madarsa Education Board, Patna 5 Viyapati Marg Patna- 800001.
8. The Secretary Bihar State Madarsa Education Board, Patna 5, Viyapati Marg Patna- 800001.
9. The Managing Committee of Madarsa Deniya at Rampur P.O.- Chhotaipatti Via Rayam Factory, District Darbhanga through its Secretary.
10. Md. Zahirul Haque, Son of not known, resident of Village- Chandrasainpur, P.S.- Raika, District- Madhubani.
11. Shaheeda Khatoon, Wife of Md. Mustafa. resident of Village- Rampur Pilakhwara, P.O.- Parsa, P.S.- Keoti, District- Darbhanga.

.... Respondent/s

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Appearance :

For the Petitioner/s : Md. Anis Akhtar, Advocate
For the Respondent/s : Mr. Sunil Kumar, AC to GA-12
For the Board : Mr. Rashid Alam, Advocate

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY
ORAL ORDER

3 17-01-2018 Heard learned counsel for the petitioner and the respondents.

Mr. Anis Akhtar, learned counsel appearing on behalf of the petitioner submits that with regard to the grievance raised in the present writ application, the petitioner has



approached the Bihar State Madarsa Education Board, Patna (hereinafter referred to as 'the Board'), but the officials of the Board are sitting tight over the matter and as result of their reluctance and indisciplineness, the controversy has not been authoritatively decided by the Board.

The Court is of the view that preliminary the Board is required to consider the grievance of the petitioner and decide in accordance with law and, in case, such decision goes against the interest of the petitioner, he has remedy by way of appeal before the Joint Director, Secondary Education.

In view of the above, the petition is disposed of with a direction to respondent no.6 to examine the claim of the petitioner and pass appropriate order within a period of 60 days from the date of receipt/production of a copy of this order.

It is made clear that the respondent no.6, the Bihar State Madarsa Education Board, Patna is required to hear all persons likely to be adversely affected by such adjudication.

With the aforesaid, the writ application stands disposed of.

(Anil Kumar Upadhyay, J)

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