

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.22793 of 2018

1. Md. Junaid Akhtar, son of Late Md. Yasin, resident of Mahadeodighi, Post Office-Sontha, Police Station-Bahadurganj, District-Kishanganj.
2. Md. Habibur Rahman, son of Late Mahtabuddin, resident of Mahadeogidhi, Post Office-Sontha, Police Station-Bahadurganj, District-Kishanganj.
... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Human Resources, Government of Bihar, Patna.
2. The Secretary, Bihar State Madarsa Education Board, Patna, 5, Vidyapati Marg, Patna-1.
3. The District Magistrate, Kishanganj.
4. The District Education Officer, Kishanganj.
5. The District Programme Officer, (Establishment) Kishanganj.
6. Block Education Officer, Bahadurganj, Kishanganj.
7. The Newly Selected Madarsa Managing Committee through its Secretary namely Md. Nurul Hoda, Son of Late Md. Siddique, resident of Village-Bishanpur, Police Station Kochadhaman, District-Kishanganj.
8. The Head Maulvi, Madarsa Islamia Siddiquia at Mahadeodighi, Post Office-Sontha, District-Kishanganj.
... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Mithilesh Kumar Upadhyay
For Madarsa Board	:	Mr. Rashid Alam
For the State	:	Mr. Priyadarshi Matri Sharan, AC to AAG-15

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 30-11-2018

Heard learned counsel for the parties.

The petitioners have put to challenge an inquiry report dated 03.09.2018, whereby the Block Education Officer, Bahadurganj, in the district of Kishanganj, has recommended to the Bihar State Madrasa Education Board, for formation of the new Managing Committee consisting of person(s), who according to the petitioners, could not have been included in the Managing Committee.

In a proceeding under Article 226 of the Constitution



of India, I do not find it expedient to interfere with the inquiry report, which is in the form of recommendation to the Madrasa Board for approval of the Managing Committee. If no decision has been taken so far by the Board on the said recommendation dated 03.09.2018, the petitioner shall have a liberty to raise all the points, which have been raised in the present writ application, by filing a representation to the Chairman of the Board. The petitioner shall be at liberty, for that purpose, to bring to the notice of the Chairman, all the facts, as asserted in the present writ application and the documents brought on record in the present proceeding for the purpose of the claim, which they want to establish in the present proceeding. If it is done within two weeks from today and no decision is found to have been taken on the recommendation of the Block Education Officer through letter dated 03.09.2018 by the Board so far, the Board shall be obliged to consider the points raised by the petitioners against approval of the proposed Managing Committee.

This application stands disposed of.

(Chakradhari Sharan Singh, J)

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