

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12272 of 2017

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Md. Shafiullah Rashid S/o Md. Harun Rashid, Resident of village and P.O.-
Bajidpur, P.S.- Manigachi, District- Darbhanga.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Special Director, Secondary Education Board, Bihar, Patna.
3. The Chairman, Bihar State Madarsha Board, Patna.
4. The District Magistrate, Darbhanga.
5. The Regional Deputy Director, Darbhanga Division, Darbhanga.
6. The District Education Officer, Darbhanga.
7. The Secretary, Madarsa Islamiya, Bajidpur No. 22459/196, Village- P.O.-
Bajidpur, Block- Manigac

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Lalit Narayan Jha
For the Respondent/s	:	Mr.Prabhakar Jha-Gp27
For Madarsa Board	:	Md. Shahzad Hussain Khan

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 05-07-2019 Heard learned counsel for the petitioner and the

counsel appearing on behalf of the State and the counsel

appearing on behalf of the Madrasa Board.

Petitioner has approached this Court for a direction to

the respondents Board to cancel affiliation granted to the

Madrsa Board.

Learned counsel appearing on behalf of the Madarsa

Board has raised objection as to the maintainability of the

grievance.

Learned counsel appearing on behalf of the petitioner



would submit that Madarsa is illegally continuing on the land of the petitioner and granting affiliation to such institution would amount to gross illegality.

In the aforesaid situation, the Court is not in a position to examine the issue raised in the writ application. However, liberty shall be available to the petitioner to approach Madarsa Board by way of filing appropriate application, raising grievance of granting affiliation and consequently for cancellation of affiliation.

In the event such application is filed by the petitioner, the respondent Madarsa Board is required to pass appropriate order after hearing all stakeholders including the managing committee of the Madarsa whose affiliation is sought to be challenged by the petitioner before Madarsa Board, at the earliest within a period of 60 days from the date of filing of such application.

With the aforesaid, the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

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