

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17310 of 2017

Md. Taiyab son of Md. Budhan Miya resident of village - Basudeopur Tola Bishanpur, P.S. Laukha, District Madhubani Secretary of Managing Committee of Madarsa Islahul Muslameen at Arnawa Bishanpur, District - Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Special Director, Secondary Education, Education Department, Bihar, Patna.
3. The District Education Officer, Madhubani.
4. The Bihar State Madarsa Education Board, 5, Vidyapati Marg, Patna.
5. The Chairman, Bihar State Madarsa Education Board, 5, Vidyapati Marg, Patna.
6. Secretary, Bihar State Madarsa Education Board, 5, Vidyapati Marg, Patna.
7. Md. Farmood son of late Hiryanee resident of village - Arnawa Bishanpur, P.S. Laukha, District - Madhubani.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Raj Nandan Prasad Mr. Brajesh Pd. Gupta
For the Respondent/s	:	Mr.Madanjeet Kumar -Gp20
For Madars Board	:	Mr. Prakash Srivastava Mr. Shahzad Hassan Khan

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

- 2 09-08-2019 In view of the fact that the appellate order was passed by the Special Director, the writ petition is allowed. The order passed by the special Director is quashed as this Court has held out that the Special Director being ex-officio member of the Board is not competent to sit in appeal against the decision of the forum. Now the Special Secretary has been authorized to act as appellate authority against the decision of the Madarsa Board.



Accordingly, the Special Secretary is directed to take fresh decision against the order dated 13.9.2017 at the earliest preferably within a period of four months from the date of receipt/production of a copy of this order.

With the aforesaid, the writ application stands disposed of.

(Anil Kumar Upadhyay, J)

Ravi/-

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