

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.550 of 2018

In

Civil Writ Jurisdiction Case No.8879 of 2017

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Flatun Nishan Madrasatul Banat at Khari Basti, P.O. Hatwar, District-Kishanganj through its Secretary, Abdul Haque, Son of Late Haji Abdul Majeed, resident of Kathalia Khari Basti, P.O.-Hatwar, P.S.-Kishanganj, District-Kishanganj.

... .. Petitioner-Appellant/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Human Resource and Development, Government of Bihar, Patna.
2. The Principal Secretary, Department of Human Resource and Development, Government of Bihar, Patna.
3. The Director, Secondary Education, Department of Human Resource and Development, Government of Bihar, Patna.
4. The Bihar State Madrasa Education Board, Patna, Bihar.
5. The Secretary, Bihar State Madrasa Education Board, Patna, Bihar.

... .. Respondents-Respondent/s

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Appearance :

For the Appellant/s : Mr. Najmul Hoda, Advocate
For the State : Mr. Ashutosh Ranjan Pandey, AAG-15
For the Board : Md. Aslam Ansari, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE JUSTICE SMT. ANJANA MISHRA

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 23-07-2019

Re: Interlocutory Application No.3116 of 2018.

Having learned counsel for the parties we are satisfied that the delay has been satisfactorily explained. The application is allowed. The appeal shall be treated to be within time.



Re: Letters Patent Appeal No. 550 of 2018

The only grievance of the appellant is that the learned Single Judge while disposing of the matter has not issued any directions for the consideration of the grievance of the appellant which is to the effect that the appellant-Madrassa would fall approximately at serial no.2200 which would be status of the Madrassa according to its registration and, therefore, if Madrasas which have been registered thereafter have been extended any such benefit, then denial of any such benefit to the appellant-Madrassa is discriminatory and arbitrary.

Having considered the submissions raised and having heard Sri Md. Aslam Ansari, learned counsel for the Madrassa Board and Shri Ashutosh Ranjan Pandey, learned Advocate General for the State, we dispose of this appeal with liberty to the appellant to move before the respondent no.4- the Bihar State Madrassa Education Board for the redressal of the grievance and if certified copy of this order is filed before the said Board, the authority concerned shall pass an appropriate order within three months of the date of receipt of a certified copy of this order.

The judgement of the learned Single Judge stands modified to the said extent.



Disposed of.

(Amreshwar Pratap Sahi, CJ)

(Anjana Mishra, J)

Sunil/-

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CAV DATE	
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