

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17449 of 2019

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1. Md. Zahoor Alam S/o Md. Alimullah R/o Village and Post Goaltoli, Via Barsoi, Dist.-Katihar present working as an Assistant Science teacher in Madarsa Anjuman, Islamia, Goaltoli (Madarsa No.621)
 2. Md. Sanjar Alam S/o Md. Nurul Hoda R/o Village - Barsoi, PO Goaltoli, Dist.-Katihar and present working as an Assistant teacher in Madarsa Mazharul Olum Sirajmoni, Chikni Tola,(Madarsa No.1185)
 3. Md. Abdus Salam S/o Abdul Majid, R/o Village and Post Madhepure, Dist.-Katihar and present working as an Assistant Science teacher in Madarsa Qutbul-Uloom (Madarsa No.1199)

... .. Petitioner/s

Versus

1. The Secretary, Human Resources Development Department, Government of India New Delhi
2. The Principal Secretary, Education Development Department, Govt. of Bihar, Patna
3. The Special Director, Secondary Education, Govt. of Bihar, Patna
4. The District Education Officer, Katihar
5. The District Programme Officer (Establishment), Katihar
6. The Chairman Bihar State Madarsa Education Board, Patna
7. The Secretary Bihar State Madarsa Education Board, Patna

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Rama Kant Singh, Adv.
For the Respondent/s	:	Smt. Binita Singh (SC-28)
For Madarsa Board	:	Md. Aslam Ansari, Adv.
For the University	:	Mr. S.D. Sanjay, Addl.S.G. Mr. Abhay Shankar Jha (CGC)

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 28-08-2019 Heard learned counsel for the petitioners and the counsel appearing on behalf of the State as well as the University.

The present writ petition has been filed by the petitioners for a direction to the respondents for approval of



service of the petitioners as well as dues arrears of salary w.e.f. from initial date of joining.

In order to modernize the Madarsa, a policy decision was taken by the Human Resources Development, Government of India for appointment of teachers in English, Math, Science, etc. to provide quality education in Madarsa.

The petitioner no.1 was appointed in the Madarsa on 27.01.1999, petitioner no.2 was appointed in the Madarsa on 26.05.1997 and petitioner no.3 was appointed in the Madarsa on 10.04.1997, in furtherance of decision of Central Government as Science teacher, but due to the lackadaisical approach of the respondent, the service of the petitioners have not been approved and as a result thereof the petitioners are not getting the salary along with allowance. Notwithstanding, the fact that Madarsa Board is regularly receiving fund from the Government.

Considering the aforesaid facts, this writ application is disposed of with the direction to the respondents to take appropriate decision with regard to the claim of the petitioners for approval of service at the earliest, preferably within a period of 60 days from the date of receipt/production of a copy of this order. Thereafter, the competent authority is required to ensure



the payment of salary of the petitioners within a further period
of 30 days.

With the aforesaid observation and direction, this writ
petition is disposed of.

(Anil Kumar Upadhyay, J)

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