

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10634 of 2017

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Madarsa Misbabul Uloom, Budhnagra, Sitamarhi through its Secretary Abrar Ahmad son of Abul Khair, Village and P.O.- Budhnagra, P.S.- Nanpur, District- Sitamarhi Bihar. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Human Resource Department, Government of Bihar, Patna
 2. Chairman, Bihar State Madarsa Education Board, Vidyapati Marg, Patna.
 3. District Education Officer, Sitamarhi.
 4. Aftab Alam son of Sadiq Hussain, Resident of Village and P.O.- Buddhanagra, Prakhand- Bokhda, P.S.- Nanpur, District- Sitamarhi.
- Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Anil Kumar Mukund, Adv.
For the Board	:	Mr. Md. Aslam Ansari, Adv.
For the State	:	Mr. Hari Mohan Mishra, AC to GP 27

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

6 25-02-2020 Learned counsel for the Madarsa Board filed counter affidavit. Let the same be kept on record.

Heard both sides.

Petitioner in this writ petition seeks quashing of letter dated 25.02.2014 issued by the Chairman, Madarsa Board, Bihar, Patna derecognizing the Managing Committee run by the petitioner and granting approval to the Managing Committee headed by respondent no.4.

Learned counsel for the petitioner submits that the petitioner was called upon to appear on 18.02.2014 but he was not heard and the order impugned was passed on 25.02.2014 derecognizing the Managing Committee run by the petitioner.



Learned counsel for the petitioner submitted that the petitioner was not ever heard and it is a case of gross violation of principle of natural justice, but it appears that the petitioner filed CWJC No.5504 of 2014 for the same and similar relief which was dismissed on 05.10.2015 as there appears a civil dispute between two management committees of the Madarsa. Petitioner preferred L.P.A. No.300 of 2016 against the order dated 05.10.2015 passed in CWJC No.5504 of 2014 but the same was also dismissed with liberty to the petitioner to move before the court against the final order and taking recourse to that observation, the petitioner again filed this writ petition.

On the face of it, it appears that the writ petition and the L.P.A. preferred by the petitioner against the order recognizing the Managing Committee of respondent no.4 have already been dismissed and review petition filed against the order passed by L.P.A. Court has also been dismissed. For the same cause of action, the petitioner again filed this writ petition. Thus, I find no merit. Accordingly, this writ petition is dismissed being devoid of merit.

(Prabhat Kumar Jha, J)

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