

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15464 of 2018

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Naque Ahmad Son of Shabbir Ahmad, Resident of Karhara Birdipur, P.O.-
Basaith Chainpura, District- Madhubani.

... .. Petitioner

Versus

1. The State of Bihar
2. The Chairman/Secretary, Bihar State Madarsa Education Board, Patna.
3. The District Magistrate, Madhubani.
4. The District Superintendent of Education, Madhubani.
5. The District Education Officer, Madhubani.
6. The Block Education Officer, Benipatti, District- Madhubani.
7. The Head Modarish Principal Madarsa Islamiya Headayatul Muslimin Birdupur, P.O.- Basaith, P.S. Ben
8. The Secretary, Madarsa Islamiya, Headayatul Muslimin Birdupur, P.O.- Basaith, P.S. Benipatti, Distr
9. The President, Madarsa Islamiya, Headayatul Muslimin Birdupur, P.O.- Basaith, P.S. Benipatti, Distr

... .. Respondents

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Appearance :

For the Petitioner/s	:	Mr.Ajay Kr Singh No.1
For the Respondent/s	:	Smt. Shilpa Singh- GA1-2
		Ms. Abhanjali, AC to GA-12
For Madarsa Board	:	Md. Aslam Ansari

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 06-01-2020 The petition filed on 03.08.2018 is listed for hearing
for the first time today before the Court.

Heard learned counsel for the petitioner and learned
counsel for the respondents.

Petitioner has prayed for the following relief:

“(i) For issuance of an appropriate writ/writs,



direction/directions, order/orders directing and commanding the respondents to remove the illegally appointed Teachers in Madarsa Islamiya Headyatul Muslimin no. 813 Birdipur, P.O. Basaitha, Madhubani. The respondents have arbitrarily appointed three teachers in the said Madarsa as such the respondent authorities have not accepted the application of the general candidates and on the date fixed for the interview no one was present to conduct the procedure of appointment and arbitrarily the respondents have appointed the candidates.

(ii) For issuance of an appropriate writ directing the respondents to appoint teachers in Madarsa Islamiya Headayatul Muslimin no. 813 Birdipur in legally process and all candidates be given opportunity for recruitment on the post of teachers.

(iii) Any other relief or reliefs as this Hon'ble Court may think fit and proper.”

After the matter was heard for some time, learned counsel for the petitioner submits that petitioner shall be content if a direction is issued to the concerned respondents to consider and decide the representation, which the petitioner shall be making afresh within a period of four weeks from today.

Learned counsel for the State states that upon receipt of such request, if any, the same shall be dealt with in



accordance with law, expeditiously and positively within a period of three months from the date of receipt thereof.

Equally, liberty is reserved to the petitioner to take recourse to such alternative remedies as are otherwise available in accordance with law.

We are hopeful that as and when petitioner takes recourse to such remedies, as are otherwise available in law, before the appropriate forum, the same shall be dealt with, in accordance with law and with reasonable dispatch.

The petition stands disposed of in the aforesaid terms.

(Sanjay Karol, CJ)

(Anil Kumar Upadhyay, J)

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