

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.2261 of 2021**

Md. Manawar Hussain, aged about 45 years, gender male, Son of Late Md. Hadees Resident of Village-Rasoolpur, P.S.-Shikarganj, District-East Champaran.

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Government of Bihar, Patna.
2. The Special Director, Secondary Education, Government of Bihar, Patna.
3. The Bihar State Madarsa Education Board, Haroon Nagar, Sector NO.2, Patna.
4. The Chairman, Bihar State Madarsa Education Board, Haroon Nagar, Sector No.2, Patna.
5. The Secretary, Bihar State Madarsa Education Board, Haroon Nagar, Sector No. 2, Patna.
6. The District Education Officer, East Champaran, at Motihari.
7. Mustafa Kamal Son of not Known
8. Ekbal Akhtar, Son of Abdul Quddus.
9. Md. Jawed Son of Not Known
10. Tabassum Ara, Wife of Ekbal Akhtar.
11. Shekh Faraz, Son of Idrees
12. Shaheen Parween, Wife of Md. Shamir
13. Madina Khatoon Wife of Anjum
14. Kabiruddin Son of Late Sukhari  
Respondent no. 7, No.8 Secretary, and Nos. 9 to 14 members of the New Managing Committee of Madarsa Islamia Hameedia Rasoolpur, P.O.-Sagardina, P.S.-Shikarganj, Distirct-East Champaran

... .. Respondents

**Appearance :**

For the Petitioner : Mr.Md. Anisur Rahman, Advocate  
For the Respondents : Mr.Lalit Kishore (AG)

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY**  
**ORAL ORDER**

2      01-03-2021                      Heard learned counsel appearing on behalf of the  
  
petitioner and learned counsel appearing on behalf of the  
  
respondents.



The order contained in Memo No. 6965-68 dated 29.07.2019 is appealable one and without exhausting the alternative remedy of appeal, the petitioner has straightaway approached this Court.

The Court is not inclined to interfere with the impugned order. The petitioner shall be at liberty to prefer appeal and only after decision of the appellate authority, the petitioner, if still aggrieved, may approach this Court by filing a separate writ application. In the event the petitioner files an appeal before the Special Secretary of the Department within one month from today along with a copy of this order, the appellate authority shall consider and decide the appeal on its own merit.

With the aforesaid, the present writ application stands disposed of.

**(Anil Kumar Upadhyay, J)**

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