

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12925 of 2021

Madarsa Misbahul Uloom through its President Eklakh Ahamad aged about 36 years (Male), son of Abdur Rab, resident of Village - Semrahiya, P.O. - Semrahiya, Chauradano, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through Additional Chief Secretary, Education Department, Government of Bihar, Patna.
2. The State of Bihar through Additional Chief Secretary, Education Department, Government of Bihar, Patna.
3. The Bihar State Madarsa Education Board through its Chairman, through its Chairman, Office at Apex Tower, Haroon Nagar, Sector 2, Phulwari Sharif, Patna- 801505.
4. The Chairman, Bihar State Madarsa Education Board, Apex Tower, Haroon Nagar, Sector 2, Phulwari Sharif, Patna - 801505.
5. The Secretary, Bihar State Madarsa Education Board, Apex Tower, Haroon Nagar, Sector2, Phulwari Sharif, Patna - 801505.
6. Entekhab Alam resident of village - Semrahiya, P.O. - Semrahiya, Chauradano, District- East Champaran.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Ashok Kumar Choudhary, Sr. Adv. Mr. Akshansh Ankit, Adv.
For the Respondent/s	:	Mr. Amit Bhushan, AC to GP-17
For the Madarsa Board	:	Mr. Shahzad Hassan Khan, Adv. Mr. Aslam Ansari, Adv.

CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH SHARMA
ORAL ORDER

2 14-09-2022 Learned counsel for the petitioner has taken this court to the order passed by the Appellate Authority Special Secretary, Education Department dated 04.05.2021, whereby the Madarsa Education Board was directed to conduct an enquiry relating to the said Madarsa and verify about the veracity of the concerned managing committee.

Learned counsel also submits that the then Chairman



had appointed the said managing committee without authority and in an arbitrary manner and all the decisions have been put to not by the Board after the subsequent chairman has taken over.

In the opinion of this Court, in the aforesaid circumstances, the Madarsa Education Board is directed to conduct the enquiry as directed by the Appellate Authority dated 04.05.2021 within a period of one month. It is also directed that as per the directions of the Appellate Authority, the concerned managing committee would be restrained from taking action against any teacher or against any authority of the concerned Madarsa. The Madarsa Education Board will also have power to pass any further directions relating to the management of the Madarsa, if needs so arises.

With the said observation, the writ petition is disposed of.

(Sanjeev Prakash Sharma, J)

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