

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.967 of 2019

In
Civil Writ Jurisdiction Case No.14863 of 2017

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1. Md. Zahirul Haque S/o Late Badrul Haque resident of Village- Hussainpur, P.s.- Rahika, District- Madhubani.
 2. The Managing Committee of Madarsa Deeniya at Rampur, p.o.- Chhotaipatti, Via- Raiyam Factory, Distt.- Darbhanga through its Secretary

... .. Appellant/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna
2. The Principal Secretary Human Resources Development Department, Govt. of Bihar, Patna
3. The Special Director Secondary Education, Govt. of Bihar, Patna
4. The District Education Officer Darbhanga
5. The District Programme Officer (Establishment) Darbhanga
6. The Bihar State Madarsa Education Board Vidyapati Marg, Patna through its Chairman
7. The Chairman Bihar State Madarsa Education Board Vidyapati Marg, Patna
8. The Secretary Bihar State Madarsa Education Board Vidyapati Marg, Patna
9. Shahida Khatoon W/o Md. Mustafa Vill.- Rampur Pilakhwara, P.o.- Parsa, P.s.- Keoti, Distt.- Darbhanga
10. Shahida Shaheen W/o Md. Shakil Vill.- Pilakhwara, P.o.- Parsa, P.s.- Keoti, Distt.- Darbhanga

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Md. Ansur Rahman, Advocate
For the State	:	Mr. S.S. Tiwarry, AC to AAG-13
For Madarsha Board	:	Mr. Md. Aslam Ansari, Advocate

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI

and

HONOURABLE MR. JUSTICE RAJIV ROY

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

Date : 30-08-2022



The present appeal is filed on frivolous grounds for the reasons that in CWJC No. 14863 of 2017 decided on 17.01.2018 this Court has only given a direction to consider the claim of the appellants. Extract of the order of the learned Single Judge reads as under:-

“The Court is of the view that preliminary the Board is required to consider the grievance of the petitioner and decide in accordance with law and, in case, such decision goes against the interest of the petitioner, he has remedy by way of appeal before the Joint Director, Secondary Education.

In view of the above, the petition is disposed of with a direction to respondent no.6 to examine the claim of the petitioner and pass appropriate order within a period of 60 days from the date of receipt/production of a copy of this order.

It is made clear that the respondent no.6, the Bihar State Madarsa Education Board, Patna is required to hear all persons likely to be adversely affected by such adjudication.

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

In the light of the aforesaid order, the appellants are not aggrieved. If they are aggrieved by any decision proposed to be taken by the Board and if their right is likely to be affected, in that



event they have cause of action. Accordingly, the present LPA stands dismissed.

(P. B. Bajanthri, J)

(Rajiv Roy, J)

Vikash/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	
Transmission Date	N/A

