

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.1858 of 2023**

1. Md. Sajid, Son of Late Ainul Haque, Resident of Ward No. 05, Semra Ghat, P.O. Siriswa, District- West Champaran- 845454.
2. Sajjad Alam, Son of Mazhar Hussain, Resident of Ward No. 14, Khuda Nagar, P.O. Motihari, District- East Champaran- 845401.
3. Haider Ali, Son of Md. Haroon Rashid, Resident of Bara Barharpur, Chatauni, P.O. Motihari, District- East Champaran- 845401.

... .. Petitioners

Versus

1. The Bihar State Madrasa Education Board Haroon Colony, Sector- 02, Apex Tower, Phulwari Sharif, Patna- 801505, through its Chairman.
2. The Secretary, Bihar State Madrasa Education Board, Haroon Colony, Sector- 02, Apex Tower, Phulwari Sharif, Patna- 801505.
3. The District Education Officer, East Champaran, District- East Champaran (Motihari).
4. Madrasa Anjuman Islamia, Motihari (Madrasa No. 66), District- East Champaran, through its Secretary Dr. Md. Perwez Aziz, aged about 68 years, Male, Son of Late Dr. Md. Azizur Rahman, Resident of 291 A, Bhawanipur Zirat, post Office and Police Station- Motihari, District- East Champaran (Motihari).
5. The Principal (Head Moulvi), Madrasa Anjuman Islamia, Motihari (Madrasa No. 66), District- East Champaran, (Motihari).
6. The Special Director (Secondary Education), Education Department, Bihar, Patna.
7. The Program Officer (Establishment), East Champaran, District- East Champaran, (Motihari).
8. The State of Bihar through the Principal Secretary, Education Department, Patna.

... .. Respondents

**Appearance :**

|                       |   |                                        |
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| For the Petitioners   | : | Mr. Syed Masleh Uddin Ashraf, Advocate |
| For the State         | : | Mr. Prabhakar Jha, GP-27               |
| For the Madrasa Board | : | Mr. Shahzad Hassan Khan, Advocate      |
|                       |   | Mr. Aslam Ansari, Advocate             |

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD**  
**ORAL ORDER**

2      19-06-2023                      The fate of this writ application will depend upon the  
  
decision with regard to the order dated 1<sup>st</sup> April, 2021 passed by  
  
the Special Secretary-cum-Appellate Authority in Appeal No. 20



of 2020.

Learned counsel for the petitioners submits that these petitioners were appointed by the Managing Committee of the Madrasa Anjuman Islamia, Motihari, however, it is not in dispute that on the date these appointments were made, the order dated 1<sup>st</sup> April, 2021 was operating and under the said order both the Managing Committees claiming control on the Madrasa were restrained from functioning. Learned counsel informs this Court that the order dated 1<sup>st</sup> April, 2021 is under challenge in CWJC No. 3981 of 2023 and the same is pending consideration.

In the aforesaid view of the matter, this writ application is being disposed of with liberty to the petitioners to approach this Court, if occasion so arises, after disposal of CWJC No. 3981 of 2023.

**(Rajeev Ranjan Prasad, J)**

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