

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18936 of 2019

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Aniruddha Prasad S/o Bharat Mahto Resident of RU-196, Pitampura, Near
Power House, Pitampura, Saraswati Vihar, North West Delhi, Delhi-110034

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department,
Govt. of Bihar, Patna
2. The Principal Secretary Education Department, Govt. of Bihar, Patna
3. The Principal Secretary Cabinet Vigilance Department, Govt. of Bihar
4. The District Magistrate West Champaran
5. The District Education Officer West Champaran
6. The Bihar State Madarsa Education Board Patna through its Secretary
7. The Secretary Bihar State Madarsa Education Board, Patna

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Ravi Shankar
For the Respondent/s : Mr.Ashutosh Ranjan Pandey (Aag15)

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 15-09-2023

Omnibus prayers are made in the writ petition for enquiry on the land of Madarsa Hakimia, alleged to be a Garmajarua Aam land illegally registered in favour of the Madarsa Hakimia by the Secretary of the Bihar State Madarsa Education Board, Bihar, Patna; the 7th respondent. There are also prayers made to conduct enquiry about the members of the Managing Committee who are alleged to be relatives and the students studying in the Madarsa who are also enrolled in



Government schools.

2. Neither is the Madarsa Hakimia made a party in the writ petition nor are the Managing Committee members arrayed on the side of the respondents. Incidentally, the Secretary of the Madarsa and a teacher has been named in the writ petition who also have not been impleaded.

3. The petitioner has also approached this Court only on the ground that the various representations addressed by him have not been answered. The 8th respondent, the Secretary of the Madarsa Education Board, who by name has been impleaded as the additional respondent, has filed a counter affidavit. It is categorically stated that the writ petition filed as a Public Interest Litigation is only to harass the deponent who has pending litigation with the brother of the petitioner herein. There are civil suits filed and FIRs registered at the instance of the brother of the petitioner.

4. The specific contention of the 8th respondent is that he had conveyed some property to the Madarsa in his personal capacity; which land was in the possession of his family from the time of his great grandfather. There is also another 'Waqfnama' executed by the petitioner again in favour of the Madarsa Hakimia. The aforesaid acts were done by valid deeds



respectively dated 28.02.2011 and 10.04.2014.

5. Obviously, the petitioner is attempting to agitate a personal grouse against the 8th respondent by making wild allegations without any substantiation and without impleading the necessary parties. We agree with the 8th respondent that the statements made in the writ petition are vague and misleading and that there is no cause agitated which would have the nature and status of a public interest.

6. We dismiss the writ petition.

(K. Vinod Chandran, CJ)

(Partha Sarthy, J)

Anushka/-

AFR/NAFR	
CAV DATE	
Uploading Date	19.09.2023
Transmission Date	

