

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14397 of 2023

Md. Alam son of Late Md. Abbas, resident of Village and P.O.-Fatehabad,
P.S.-Paroo, District-Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Education Deptt. Govt. of Bihar, Patna.
2. Special Director, Secondary-cum-Sanskrit and Madarsa Govt. of Bihar, Patna.
3. District Education Officer, Muzaffarpur.
4. Chairman Bihar State Madarsa Education Board, Patna.
5. Secretary, Bihar State Madarsa Education Board, Apex Tower, Haroon Nagar, Sector-2, Phulwarisharif, Patna-801505.
6. I/C Head Maulavi, Madarsa Fathul Uloom Madarsa No. 65, Fatehabad, P.S.-Paroo, District-Muzaffarpur.
7. Md. Raza Ansari, Son of Md. Muslim Ansari, resident of Village-Fatehbad, P.S.-Paroo, District-Muzaffarpur.
8. Abu Taiyab Ansari, son of Late Abdul Hakim Khodadin Ansari, resident of Village-Fatehbad, P.S.-Paroo, District-Muzaffarpur.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Arun Kumar, Advocate
For the Respondent/s	:	Mr.Jitendra Kumar Roy 1 (Sc 13) Mr. Shahzad Hassan Khan, Adv. and Mr. Aslam Ansari, Adv. for Madarsa Board

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 12-12-2024 Heard learned counsel for the petitioner, learned

State counsel and learned counsel appearing on behalf of

respondent/Bihar State Madarsa Education Board.

2. This writ petition has been filed for following

reliefs:-

(i) To quash the letter being Memo No. 1151
dt. 25.07.23 issued under signature of Secretary,
Bihar State Madarsa Education Board, Patna by
wha approval has been given to appoint the
Respondent No. 7 as secretary of Madarsa Fathul



Uloom (Md-65), situated at Villae Fatehabad, P.S & Anchal- Paroo, in the District of Muzaffarpur (Bihar) A Photo Copy of which is annexed as Annexure-3, to this writ application and to stay the operation of the aforesaid letter dt. 25.07.23, till disposal of this writ application.

(ii) To pass any such other order or orders as this Hon'ble Court thinks fit & proper under the facts and circumstances of this case.

3. At the outset, learned counsel appearing on behalf of Respondent / Bihar State Madarsa Board (for short “Madarsa Board”) raises preliminary objection on the maintainability of the writ petition and submits that petitioner has got alternative remedy to move before the Secretary / Special Secretary of Madarsa Board under Rule 11 of the *Bihar State Non-Government Recognised Aided Madarsa Managing Committee Constitution Rules, 2022*.

4. In that view of the matter, the writ petition is disposed of granting liberty to the petitioner to move before the competent authority by filing a representation alongwith copy of this order under Rule 11 of the aforesaid Rules within a period of four weeks from today.

5. If such representation is filed within stipulated time, the concerned authority shall examine the same and pass reasoned order after hearing the parties in accordance with law.



6. With above observation and direction, the writ
petition stands disposed of.

(Prabhat Kumar Singh, J)

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