

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15350 of 2023

1. Md. Hamid Son of Md. Lahsani, Resident of Mohalla- Bhowara, Ward No. 23. Police Station- and District- Madhubani, presently working as Madarsa Teacher, Madarsa Islamia, Raghepura Nabtoli, P.O. Barha, Via- Benipatti, District- Madhubani, Madarsa No. 130.
2. Mohd. Nezamuddin, Son of Mohd. Haris, Resident of Mangal Pokhar, Ward No. 28. P.O. Bhowara, P.S. Town Thana Madhubani, District- Madhubani, presently working as Madarsa Teacher, Madarsa Islahul Momenin. At Ragho Nagar Bhowara, District- Madhubani, Madarsa No. 125.
3. Abdul Hafeez Ansari, Son of Abdus Shakoor Ansari, Resident of Sarisab Momin Tola, P.O. Sarisab Pahi, P.S. Pandaul, District- Madhubani, presently working as Madarsa Teacher, Madarsa Mohammadia, At Sarisab Pahi, P.O. Sarisab Pahi, District-Madhubani, Madarsa No. 789.
4. Md. Mikaeel, Son of Abdur Rashid, Resident of At Marukia, P.O. Andhara Thari, P.S. Andhara Thari, District- Madhubani, presently working as Madarsa Teacher, Madarasa Khairun Nisha, At Marukia, P.O. Andhara Thari, District- Madhubani, Madarsa No. 150.
5. Kausar Jahan, D/o Md. Nurullah Ansari, At Marukia, P.O. Andhara Thari, P.S. Andhara Thari, District- Madhubani, presently working as Madarsa Teacher, Madarasa Khairun Nisha, At Marukia, P.O. Andhara Thari, District-Madhubani, Madarsa No. 150.
6. Md. Haroon Rashid, Son of Md. Waris Ali, Resident of At Kamalpur, Laukha, P.S. Laukha, District Madhubani, presently working as Madarsa Teacher, Madrasa Misbahul Uloom, Kamalpur, Laukha, District-Madhubani.
7. Mohd. Salahuddin, Son of Mohd. Zakir Hussain, Resident of Jamila Bazar, P.S. Andhara Thari, District- Madhubani, presently working as Madarsa Teacher, Madarasa Islahia, At Barhara, P.O. Barhara, Via- Andhra, District-Madhubani..
8. Md. Shahbaz Nizamuddin, Son of Md. Shamim, Resident of At P.O. Jalwara, P.S. Keoti (Darbhanga), District- Darbhanga. Presently working as Madarsa Teacher, Madarsa Basaratia, At Khirma Pathra, District- Darbhanga, Madarsa No. 900.
9. Md. Asghar Reza, Son of Late Md. Jabir Hussain, Resident of At Korhara Birdipur, P.O. Basaitha, P.S. Ghoghardiha, District- Madhubani. At presently posted as Madarsa Teacher, Madrasa Islamia Hidayatul Muslimin, At Birdipur, P.O. Basaitha, District- Madhubani. Madarsa No. 813
10. Zaki Ahmad, Son of Fasech Ahmad, Resident of Ekhattha, P.O. Ekhattha, P.S. Khutauna, District Madhubani. At Presently posted as Madarsa Teacher, Madarsa Rahmania, At Ekhattha, P.O. Ekhattha, District- Madhubani, Madarsa No. 133
11. Hasibur Rahman, Son of Md. Motiur Rahman, Resident of At and P.O. Ekhattha, P.S. Khutauna, District- Madhubani. At Presently posted as Madarsa Teacher, Madarsa Rahmania, At Ekhattha, P.O. Ekhattha, District-Madhubani, Madarsa No. 133



12. Meraj Ali, Son of Dilshad Ahmad, Resident of Maldahia, P.O. Narkatiaganj, P.S. Shikarpur Narkatiaganj, District- West Champaran. At presently posted as Madarsa Teacher, Madarsa Ashrafia Shahidia, At Maldahia, P.O. Narkatiaganj, District- West Champaran. Madarsa No. 886
13. Md. Mojibullah, Son of Amjad Ali, Resident of At and P.O. Jogia, P.S. Ramnagar, District- West Champaran. At presently posted as Madarsa Teacher, Madarsa Ashrafia Shahidia, At Maldahia, P.O. Narkatiaganj, District- West Champaran. Madarsa No. 886.
14. Md. Yaqub Son of Md. Siddique Ansari, Resident of Pirojgardh, P.O. Pirojgardh, P.S. Phulwaria, District- Madhubani. At presently posted as Madarsa Teacher, Madarsa Darul Uloom, Karimia. At and P.O. Pirojgardh, Via- Ghoghardiha, Madhubani, Madarsa No. 792.
15. Raziuddin Ansari, Son of Riyazuddin Ansari, Resident of At and P.O. Andhara Thari, P.S. Andhara Thari, District- Madhubani. At presently posted as Madarsa Teacher, Madarsa Islamia, At and P.O. Anadhara Thari, Madhubani.
16. Md. Arshad, Son of Shabbir Ahmad, Resident of At and P.O. Bagha Kusmar, P.S. Khutauna, District- Madhubani. At presently posted as Madarsa Teacher, Madarsa Ittehadul Muslemin, Bagha Kusmar, Madhubani, Madarsa No. 139.
17. Md. Waris Son of Md. Muslim, Resident of At and P.O. Bagha Kusmar, P.S. Khutauna, District- Madhubani. At presently posted as Madarsa Teacher, Madarsa Ittehadul Muslemin, Bagha Kusmar, Madhubani, Madarsa No. 139
18. Afroz Alam, Son of Aftab Alam, Resident of Ekthatha, Khutoura, P.S. Khutauna, District Madhubani. At presently posted as Madarsa Teacher, Madarsa Rahmania Ekthatha, Madhubani, Madarsa No. 133.
19. Muneem Shadat, Son of Hasibur Rahman, Resident of At Hardar, P.O. Telta Barsoi, P.S. Balrampur, District- Katihar. Presently posted as Madarsa Teacher, Madarsa Naiyarul Islam, At Asiria Dhapi, via- Barsoighat, Katihar, Madarsa No. 1198

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Education Department, Government of Bihar, Patna.
3. The Special Director, Secondary Education, Education Department, Government of Bihar, Patna.
4. The Joint Secretary, Education Department, Government of Bihar, Patna.
5. The District Education Officer, Madhubani.
6. The District Programme Officer, (Establishment), Madhubani.
7. The District Education Officer, Darbhanga.
8. The District Programme Officer (Establishment), Darbhanga.
9. The District Education Officer, West Champaran.
10. The District Programme Officer, West Champaran.



11. The District Education Officer, Katihar.
12. The District Programme Officer, Kaithar.
13. The Bihar State Madarsa Education Board, Patna through the Secretary.
14. The Chairman, The Bihar State Madarsa Education Board, Vidypati Marg, Patna.
15. The Secretary, The Bihar State Madarsa Education Board, Vidypati Marg, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Md. Rahmatullah
For the Respondent/s : Mr. P.K. Shahi (Ag)
Mr. Shahzad Hassan Khan

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 04-04-2024 Heard learned counsel for the petitioners and learned counsel for the respondents.

2. Learned counsel for the petitioners submits that the case of the petitioners is fully covered by the judgment passed by this Court in CWJC No.985 of 2015 on 27.03.2019. He further submits that State has also passed an order in compliance of the order passed in CWJC No.985/2015 (Annexure-P6 of the writ application).

3. Considering the aforesaid facts, since the case of the petitioners stand on similar footings to that of the petitioners of CWJC No.985 of 2015, there is no requirement to keep pending the present writ application.

4. Accordingly, petitioners are directed to file a detailed representation along with a copy of the order passed in CWJC



No.985 of 2015, before the respondent no.3 within a period of two weeks and the respondent no.3 is well advised to consider the case of the petitioners and dispose of the representation of the petitioners after affording an opportunity of personal hearing or through their counsel and pass a reasoned and speaking order in accordance with law and in light of the order passed in CWJC No.985 of 2015 within ten weeks from the date of filing of such representation by the petitioners.

5. It is made clear that respondent no.3 shall be personally held responsible for non-compliance of this order.

6. With the aforesaid directions, this writ application stands disposed of.

(Anjani Kumar Sharan, J)

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