

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13061 of 2017

1. Fahdul Islam and Anr Son of Rajaullah, Resident of Village- Madhwa Patti, Police Station- Arer, District- Madhubani.
 2. Shabana Anjum, Daughter of Mumtaz Ahamad, Resident of Village- Parsa, Police Station- Purshottampur, District- West Champaran.
- Petitioners

Versus

1. The State of Bihar
2. The Bihar State Madarsa Education Board, Patna 5, Vidyapati Marg, Patna- 800001.
3. The Chairman, Bihar State Madarsa Education Board 5, Vidyapati Marg, Patna- 800001.
4. The District Magistrate, West Champaran at Bettiah.
5. The Sub Divisional Officer, Narkatiyaganj, District-West Champaran at Bettiah.
6. The Managing Committee of Madarsa Manjarul Olum, Parsa, Marzadwa, Madarsa No. 90/A, Police Station- Son of Late Maksud Alam, Resident of Village Jhumka, Police Station- Sikta, District- West Champaran.
7. The Managing Committee of Madarsa Manjarul Olum, Parsa, Marzadwa, Madarsa No. 90/A, Police Station-

... .. Respondents

Appearance :

For the Petitioners :	Mr. Anant Kumar Mishra, Advocate
For the Respondent State:	Mr. Prabhakar Jha, GP-27
For the Madarsa Board :	Mr. Shahzad Hussan Khan, Advocate
	Mr. Aslam Ansari, Advocate

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

8 05-12-2025 Heard learned counsel appearing for the petitioners,

learned counsel appearing for the respondent State and learned

counsel appearing for the Madarsa Board.

2. The petitioners in the present writ application have

prayed for grant of following relief(s): -



“1) To appoint the petitioner No.1 namely Fahdul Islam on the post Aalim and of petitioner respondent No.2 namely Shabana Anjum on the post of peon in Madarsa Manjarul Olum, Parsa, Marzadwa, Madarsa No.90/A, Police Station- Purshottampur, District- West Champaran.

(ii) To any other relief / reliefs for which petitioners found to be entitled in the facts and circumstances of this case.”

3. It is the contention of the learned counsel appearing for the petitioners that in terms of the advertisement (Annexure-1) for appointment to the post of Faazil, Aalim, Clerk and Peon at Madarsa Manjarul Olum, Parsa, Marzadwa, Madarsa No.90/A, the petitioners had applied for appointment on the post of Aalim and Peon respectively and had appeared for interview on 25.12.2016. It is further contended that the expert, who had conducted the interview of the candidates, prepared their result (merit list) and forwarded the same to respondents No. 2 and 3 as well as respondents No. 6 and 7 for appointment of the petitioners on the posts of Aalim and Peon respectively. It is, therefore, submitted by learned counsel for the petitioners that



despite their names figuring in the merit list, the petitioners have not been appointed till date and hence appropriate direction be issued to the respondents to appoint the petitioners on the posts of Aalim and Peon respectively.

4. Learned counsel appearing for the Madarsa Board and the respondent State opposed the prayer made by the learned counsel for the petitioners and submit that it is not correct on the part of the petitioners to contend that they had succeeded in the interview and their names were contained in the merit list. It is further argued that it is precisely to hide this fact that the petitioners had not enclosed the copy of the merit list along with the writ application.

5. Having considered the submissions made by the parties, a specific query was posed to the learned counsel for the petitioners as to where is the merit list and whether the names of the petitioners figure in the said merit list. Learned counsel for the petitioners submits that the merit list has not been enclosed with the writ application.

6. In such view of the matter, it is not possible for this Court to ascertain as to whether the names of the petitioners figured in the merit list and, therefore, the relief claimed by the petitioners cannot be granted in the absence of the merit list.



7. Accordingly, the writ application is dismissed.

(Alok Kumar Sinha, J)

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