

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14124 of 2019

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Fazal Mahmood S/o Late Md. Ali Murtaza Resident of House No. 365, Ajazi Colony Road, Magistrate Colony-2B, P.s.- Rajiv Nagar, Distt.- Patna

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. The Principal Secretary Education Department, Govt. of Bihar, Patna
3. The Special Director Secondary Education, Education Department, Govt. of Bihar, Patna
4. The Bihar State Madarsa Education Board Patna, through its Secretary, Vidyapati Marg, P.s.- Kotwali, Distt.- Patna
5. The Chairman Bihar State Madarsa Education Board, Patna, Vidyapati Marg, P.s.- Kotwali, Distt.- Patna
6. The Secretary Bihar State Madarsa Education Board, Patna, Vidyapati Marg, P.s.- Kotwali, Distt.- Patna
7. The Assistant Secretary Bihar State Madarsa Education Board, Patna, Vidyapati Marg, P.s.- Kotwali, Distt.- Patna

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Dr.Pratyush Kumar Mr.Raghuveer Paswan Mr.Nibranshu Mr.Ravishankar Priyadarshi
For the Madarsa Board	:	Mr.Shahzad Hassan Khan Md.Aslam Ansari
For the State	:	Mr.Kameshwar Kumar (Gp17)

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

6 16-12-2025 In the instant petition, petitioner has prayed for the following relief(s):-

“(A) For issuance of appropriate writ, order or direction quashing the order passed by the Chairman, Bihar State Madrasa Education Board, Patna hereinafter referred to as the "Madrasa Board" contained in Memo No. 4974-79 dated 11.06.2019 communicated under the signature of the Assistant Secretary of the



Madrasa Board.

(B) For issuance of appropriate writ, order or direction commanding the respondents to reinstate the petitioner in service on his post with all consequential benefits treating him to be continued in service.

(C) For issuance of appropriate writ, order or direction granting any other relief or reliefs to which the petitioner is entitled in the opinion of the Hon'ble Court in the facts and circumstances of the case.”

2. Pursuant to the order passed by this Court in this case, the counter affidavit has been filed, and counsel representing Madarsa Board by referring to Para 7 has submitted that the representation filed by the petitioner before the Court to review the earlier order, which is under consideration and payment of salary and other consequential benefits is also under process. Extract of Para 7, which has reproduced as under:-

“7. That from perusal of averments made in the present writ application and perusal of records of the concerned file maintained in the Board, it transpires that the suspension and dismissal of the petitioner was not done in accordance with law as the concerned action against the petitioner was taken by the previous chairman. It is relevant to mention that, the petitioner has already submitted his representation before the Board to review the concerned matter and release his salary and other consequential benefits which is under process.”



3. On the other hand, counsel for the petitioner has no objection to the same and submits that this matter may be disposed of in the light of statement so made, where the Board is ready to consider the representation of this petitioner, and on finding the entitlement is justified in law, they would be releasing the salary and consequential benefits, which is under process.

4. Considering the submission of the parties, this writ petition is disposed of with the direction that Board would be taking a final decision with regard to the claim of this petitioner within a period of one month, and order so passed shall be communicated to the petitioner within the same time, and all such benefits for which this petitioner is found entitled shall also be released forthwith.

5. Accordingly, the instant writ petition stands disposed of.

(Ajit Kumar, J)

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