

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13660 of 2025

Md. Kaisar Ali, Son of Late Dr. Abdul Jabbar, Resident of Village- Jafarpur,
P.S.- Paroo, District-Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Government of Bihar, Patna.
2. The Special Director, Education Department, Bihar, Patna.
3. The District Education Officer, Muzaffarpur.
4. The Block Education Officer, Paroo, District- Muzaffarpur.
5. The Bihar State Madarsa Education Board, Vidyapati Marg, Patna.
6. The Chairman of the Bihar State Madarsa Education Board, Vidyapati Marg, Patna.
7. The Secretary of the Bihar State Madarsa Education Board, Vidyapati Marg, Patna.
8. The So called Managing Committee of Madarsa Misbahul Uloom, Jafarpur, P.S.- Paroo, District Muzaffarpur through its Secretary Md. Shakil, son of Md. Yunus Resident of Village- Daudpur, P.S.- Paroo, District- Muzaffarpur.
9. Md. Usman Ghani, an Assistant Teacher (Maulvi) of Madarsa Misbahul Uloom Jafarpur, P.S.- Paroo, District- Muzaffarpur.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Md. Anisur Rahman, Adv.
For the Respondent/s	:	M.N.H. Khan, SC-1
		Ms. Babita Kumari, AC to SC-1
For the Madarsa Board	:	Mr. Shahzad Hassan Khan, Adv.
		Md. Aslam Ansari, Adv.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 30-10-2025 Heard the parties.

2. The petitioner claiming to be the Secretary of the Approved Managing Committee of the Madarsa Misbahul Uloom, Jafarpur, District-Muzaffarpur has approached this Court seeking quashing of the order as contained in Memo No.378 dated 20.02.2024 passed by respondent no.6. The



petitioner also sought a direction upon respondents no.5 to 7 to grant approval to the petitioner's Managing Committee, which has been constituted by the regular Head Mistress of the Madarsa in compliance of the Bihar State Non-Government Committee Rules, 2022.

3. Learned Advocate for the Madarsa Board made a preliminary objection with regard to the maintainability of the writ petition.

4. Referring to Bihar State Madarsa Education Board Act, 1981, especially Section 28 thereof, learned Advocate for the Madarsa Board submitted that the petitioner has statutory alternative remedy to prefer an appeal before the State Government, in case he is aggrieved with the order passed by the Chairman of the Madarsa Board.

5. This Court finds substance in the submission of the learned Advocate for the Madarsa Board.

6. In view of the statutory alternative remedy, this Court deems it fit and proper to dispose off the present writ petition with a liberty to the petitioner to assail the order as contained in Memo No.378 dated 20.02.2024, if so advised, before the Special Secretary-cum-Appellate Authority, Education Department, Government of Bihar.



7. It is made clear that if the petitioner shall file appeal along with the petition for condonation of delay, the same shall be considered sympathetically.

(Harish Kumar, J)

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