

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.16214 of 2023

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Majharul Haque son of Late Ali Raza, Resident of village- Sawanahi, Jagdish,
P.S.- Gopalpur, District Gopalganj, Secretary of Madarsa Islamia Sawanahi
Jagdish, P.S. Gopalpur, District- Gopalganj. (Madarsa No.756)

... .. Petitioner/s

Versus

1. The State of Bihar Through the Addl. Chief Secretary, Education Department Government of Bihar, Patna.
2. The Special Director, Education Department Govt. of Bihar, Patna.
3. The Bihar State Madarsa Education Board, Apex Tower, Haroon Nagar Colony, Sector-2, P.S. Phulwari Sharif, District- Patna, through its Secretary.
4. The Chairman, Bihar State Madarsa Education Board, Apex Tower Haroon Nagar Colony, Sector-2, P.S. Phulwari Sharif, District- Patna.
5. The Secretary, Bihar State Madarsa Education Board, Apex Tower Haroon Nagar Colony, Sector-2, P.S. Phulwari Sharif, District-Patna.
6. The District Education Officer, Gopalganj.
7. Head Maulvi of the Madarsa Isalmia Sawanahi Jagdish, P.S- Gopalpur, District- Gopalganj.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Md. Anisur Rahman
For the State	:	Mr. AC to GP 20
For the Board	:	Mr. Shahzad Hassan Khan Md. Aslam Ansari

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

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| 2 | 10-04-2025 | <ol style="list-style-type: none">1. Heard learned Counsel for the parties concerned.2. The petitioner is aggrieved by order, dated 26.05.2023, whereby the Incharge Head Maulvi of Madarsa Islamia, Sabnahi (Madarsa No. 756), in the district of Gopalganj, was directed to constitute a new Managing Committee as per Notification No. 396, dated 19.04.2022 within a |
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period of six months. The petitioner claims to be the Secretary of the Madarsa Islamia, Sabnahi (Madarsa No. 756).

3. Learned Counsel for the Madarsa Board as well as the State, referring to Section 28 of the Bihar State Madarsa Educational Board Act, 1981, submit that the impugned order has been communicated by the Secretary of the Bihar State Madarsa Educational Board, Patna, as per the order passed by the Chairman of the Board and as per Section 28 of the Act, any order passed by the Board or Chairman can be challenged in appeal before the State Government and Special Secretary, Education Department, has been designated as appellate authority. The petitioner, if he is aggrieved party, may approach the concerned authority against the impugned order by filing an appeal.
4. Considering the aforesaid submission, this writ application is disposed with liberty to the petitioner, if he is aggrieved party, may file an appeal before the Special Secretary, Education Department, within a period of four weeks from today and if such an appeal is filed by the petitioner, the Special Secretary shall dispose the appeal



in accordance with law.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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