

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2601 of 2025

Md. Habibur Rahman, Son of Late Amjad Ali, Resident of Village- Bara Rahua, P.O.- Asja Mobaiya, Via- Baisi, P.S.- Baisi, District- Purnea.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Education Department, Govt. of Bihar, Patna.
2. The Principal Secretary, Education Department, Govt. of Bihar, Patna.
3. The Bihar State Madarsa Education Board, Patna through its Secretary.
4. The Secretary, Bihar State Madarsa Education Board, Bihar, Patna.
5. The Chairman, Bihar State Madarsa Education Board, Patna.
6. The District Education Officer, Purnea, District- Purnea.
7. The Secretary, Madarsa Sahedul Islam, Barah Rahua, Madarsa No.- 364, Purnea.
8. The District Programme Officer (Estab.), Purnea.
9. The Block Education Officer, Baisi, Dist.- Purnea.
10. Management Committee of Madarsa, Shahidul Islam Barr Rahua, Madarsa No.- 364, Purnia through its Secretary.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Sharda Nand Mishra, Advocate Mr. Harish Chandra Patel, Advocate Ms. Isha Mishra, Advocate
For the Respondent/s	:	Mr. Abbas Haider, SC- 6

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT

Date : 31-01-2026

Heard learned Advocate for the respective parties.

2. The petitioner has approached this Court seeking a direction upon the concerned respondents to ensure payment of salary for the period he has been discharging his duty with effect from May, 2022 to date as well as current salary.



3. Learned Advocate for the petitioner referring to the order passed by the Bihar State Madarsa Education Board, as contained in Memo No. 190 dated 29.01.2024, has submitted that in pursuant to the order afore noted, the petitioner has been discharging his duty as Maulvi in the concerned Madarsa, however, he has not been allowed salary for the period he has been discharging his duty. It is further contended that no person can be forced to discharge duty without any remuneration.

4. On the other hand, learned Advocate for the State submits that the grievance of the petitioner is confined only to the Managing Committee of the Madarsa, in question, who is the competent authority to look into the matter and pass appropriate order for salary, since the order has been passed by the Bihar State Madarsa Education Board, who shall look into the matter that the order, as contained in Memo No. 190 dated 29.01.2024, be complied with by the Managing Committee.

5. Considering the submissions advanced by the learned Advocate for the respective parties and taking note of the grievance of the petitioner, this Court does not find any reason or occasion to interfere in the writ petition. However, if the petitioner shall approach before the Bihar State Madarsa Education Board by filing a detailed representation, who shall



look into the matter after seeking instruction from the concerned
Managing Committee of Madaras and pass appropriate decision.

6. The writ petition stands disposed of.

(Harish Kumar, J)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	02.02.2026
Transmission Date	NA

