

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4894 of 2026

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Md. Saed S/o Late Md. Jumrati, Resident of village- Lilja Parsoni, P.S.-
Bheja, District- Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Education Department Govt. of Bihar, Patna.
2. The Bihar State Madarsa Education Board, Vidyapati Marg, Patna through its Secretary.
3. The Chairman, Bihar State Madarsa Education Board, Vidyapati Marg, Patna.
4. District Education Officer, Madhubani.
5. District, Programme Officer Madhubani, District- Madhubani.
6. The Block Education Officer, Madhepur, Dist.- Madhubani.
7. Md. Arif, Son of Late Md. Ulfat Resident of village- Parsauni, P.S.- Bheja, District- Madhubani.
8. Md. Rojai, Son of Late Moudhari Miyan Resident of village- Parsauni, P.S.- Bheja, District- Madhubani.
9. Md. Gyasuddin, Son of Md. Rojai Resident of village- Parsauni, P.S.- Bheja, District- Madhubani.
10. Md. Zakir, Son of Late Md. Noor Mohammad Resident of village- Parsauni, P.S.- Bheja, District- Madhubani.
11. Md. Tabarak, Son of Late Md. Yusuf Resident of village- Parsauni, P.S.- Bheja, District- Madhubani.
12. Md. Rahmatullah, Son of Md. Mazid Resident of village- Parsauni, P.S.- Bheja, District- Madhubani.
13. Ghulam Sarwar, Son of Md. Tabarak Resident of village- Parsauni, P.S.- Bheja, District- Madhubani.
14. Md. Rahmatullah, Son of Md. Allauddin Resident of village- Bheja, P.S.- Bheja, District- Madhubani.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Ramchandra Jha Raman
For the State		Mr. Standing Counsel (6)
		Mr. Syed Husain Majeed
For the Madarsa Board		Mr. Md. Aslam Ansari
		Mr. Shahzad Hasan Khan

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

2 25-06-2026

Heard learned counsel for the petitioner, learned



counsel appearing for the respondent-Bihar State Madarsa Education Board, and learned counsel for the respondent-State.

2. In the present writ application, the petitioner has prayed for setting aside the order contained in Memo No. 351 dated 22.01.2026, issued under the signature of the Secretary, Bihar State Madarsa Education Board, Patna.

3. Learned counsel appearing for the respondent-Bihar State Madarsa Education Board submits that the petitioner should have challenged the order passed by the Bihar State Madarsa Education Board by filing an appeal under Section 28 of the Bihar State Madarsa Education Board, Act, 1981, but instead of availing the alternative remedy of appeal, the petitioner has filed this writ application directly before this Court. He, therefore, prays that the present writ application be not entertained and the petitioner be relegated to avail the alternative remedy.

4. Learned counsel for the petitioner submits that he is ready to avail the alternative remedy of appeal provided under Section 28 of the Bihar State Madarsa Education Board, Act, 1981 for challenging the order dated 22.01.2026, passed by the Secretary, Bihar State Madarsa Education



Board, Patna and accordingly prays for disposing of this case.

5. Considering the submission made by the parties, this writ application is disposed of, granting liberty to the petitioner to avail the alternative remedy of appeal provided Section 28 of the Bihar State Madarsa Education Board, Act, 1981. If such an appeal is filed within one month from the date of passing of this order, the same shall be considered and disposed of on merit, after hearing all the parties concerned.

(Alok Kumar Sinha, J)

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