



IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2402 of 2020

1. Naim Akhter, Son of Late Haje Behbood Hussain, Resident of Village-Bauria, Police Station-Jokihatt, District-Araria. The President of Managing Committee of Madarsa Anwarul Ooloom Baurai dhobavia, Post Office-Joki Hatt, Police Station-Joki Hatt, District-Araria, Madarsa No. 46/52.
2. Bashiruddin, Son of Late Chafat Hussain, Resident of Village-Dhobania, Police Station-Joki Hatt, District-Araria. The Secretary of Managing Committee of Madarsa Anwarul Ooloom Baurai Dhobania, Post Office-Joki Hatt, Police Station-Joki Hatt, District-Araria, Madarsa No. 46/52.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Government of Bihar, Patna.
2. The Director, Secondary, Education Department, Government of Bihar, Patna.
3. The Special Secretary-cum-Appellate Tribunal Education Department, Government of Bihar, Patna.
4. The Chairman, Bihar State Madarsa Education Board, Patna.
5. The Secretary, Bihar State Madarsa Education Board, Patna.
6. The District Education Officer, Araria.
7. The Block Education Officer, Joki Hatt, Block District-Araria.
8. Md. Ziaur Rahman, Son of Late Kabiruddin, Resident of Village-Dhebawria, Joki Hatt, Police Station-JokiHatt, District-Araria.
9. Md. Sarfraz Alam, Son of Late Taslimuddin, Resident of Village-Jokihatt, Sisoua, Police Station-Jokihatt, District-Araria, presently residing at Mohalla-Islam Nagar, Police Station-Sadar, District-Araria.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Md. Helal Ahmad, Adv.
For the Respondent/s	:	Mr. Madanjeet Kumar, GP-20
For the Madarsa Board	:	Mr. Shahzad hassan Khan, Adv.
		Mr. Md. Aslam Ansari, Adv.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 11-12-2025 Heard Mr. Md. Helal Ahmad, learned Advocate for the petitioners, Mr. Md. Aslam Ansari, learned Advocate for the Bihar State Madarsa Education Board, Patna and the learned





Advocate for the State.

2. The writ petition was filed by the President as well as Secretary of the Managing Committee of Madarsa Anwarul Ooloom, Bourea Dhobaria, Joki Hatt, Araria seeking quashing of the order dated 09.01.1920, issued under Memo No. 05 passed in Appeal Case No. 32 of 2019 by the Special Secretary cum Appellate Tribunal Education Department, Government of Bihar whereby and whereunder the Managing Committee of the private respondent nos. 8 and 9 as approved by the Madarsa Board on 29.06.2019, issued under Memo No. 5760-64, directed to continue in utter violation of provision of law.

3. An interlocutory application bearing I.A. No. 01 of 2024 has been filed. It has been apprised to this Court that during the pendency of the present writ petition, both the President and the Secretary died on 06.05.2021 and 06.05.2023, respectively. In the meanwhile, the local people on 21.06.2023 constituted a Managing Committee of Madarsa, in question, and unanimously selected/appointed “Kausari Khatoon alias Kausari” as President and “Nuruddin alias Haji Nuruddin” as Secretary of Managing Committee of Madarsa, in question. In view of subsequent development the proposed applicants have filed the interlocutory application for substituting the name of





the aforementioned newly elected President and Secretary in place of the petitioners, who are no more alive.

4. Learned Advocate for the Madarsa Board submits at the bar that since in compliance with the impugned order of the Special Secretary cum Appellate Authority, a new Managing Committee has already been constituted and the aforementioned persons are working as President/Secretary, hence no cause of action survived and the writ petition has become infructuous.

5. Having considered the submissions of the learned Advocate for the respective parties, this Court does not find any reason or occasion to continue with the present writ petition. Accordingly, the same stands closed.

(Harish Kumar, J)

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