

## VERDICTUM.IN

**Court No. - 4**

**Case :-** WRIT - C No. - 5521 of 2025

**1. Petitioner :-** Madarsa Moinul Islam Qasmiya Samiti And Another  
**Respondent :-** State Of U.P. Thru. Addl. Chief Secy. Minority Welfare Govt. Lko And 4 Others

**Counsel for Petitioner :-** Aviral Raj Singh, Ali Moid, Ashutosh Verma

**Counsel for Respondent :-** C.S.C., Kumar Ayush

connected with

**2. Case :-** WRIT - C No. - 5551 of 2025

**Petitioner :-** Madarsa Razviya Ahle Sunnat Kanzul Uloom And Another

**Respondent :-** State Of U.P. Thru. Addl. Chief Secy. Minority Welfare U.P. Lko. And 4 Others

**Counsel for Petitioner :-** Ali Moid, Ashutosh Verma, Aviral Raj Singh, Mohd. Yasir

**Counsel for Respondent :-** C.S.C., Kumar Ayush

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**3. Case :-** WRIT - C No. - 5552 of 2025

**Petitioner :-** Madarsa Arbiya Darul Quran And Another

**Respondent :-** State Of U.P. Thru. Addl. Chief Secy. Minority Welfare Govt. Lko And 4 Others

**Counsel for Petitioner :-** Aviral Raj Singh, Ali Moid, Alok Kumar Singh, Ashutosh Verma, Palash Banerjee, Vaibhav Tiwari

**Counsel for Respondent :-** C.S.C., Kumar Ayush

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**4. Case :-** WRIT - C No. - 5554 of 2025

**Petitioner :-** Madarsa Jamiya Masudiya Darul Uloom Distt. Shrawasti And Another

**Respondent :-** State Of U.P. Thru. Addl. Chief Secy. Minority Welfare Lko. And 4 Others

**Counsel for Petitioner :-** Aviral Raj Singh, Ali Moid, Alok Kumar Singh, Ashutosh Verma, Palash Banerjee, Vaibhav Tiwari

**Counsel for Respondent :-** C.S.C., Kumar Ayush

**5. Case :-** WRIT - C No. - 5556 of 2025

**Petitioner :-** Jamia Aaisha Lilabanat Shiksha Samiti And Another

**Respondent :-** State Of U.P. Thru. Addl. Chief Secy. Minority Welfare Govt. Lko And 4 Others

**Counsel for Petitioner :-** Aviral Raj Singh, Ali Moid, Ashutosh Verma, Mohd. Yasir

**Counsel for Respondent :-** C.S.C., Kumar Ayush

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6. **Case :-** WRIT - C No. - 5558 of 2025

**Petitioner :-** Madarsa Baitul Uloom Tehsil Bhinga Shrawasti And Another

**Respondent :-** State Of U.P. Thru. Addl. Chief Secy. Minority Welfare Lko. And 4 Others

**Counsel for Petitioner :-** Ali Moid,Ashutosh Verma,Aviral Raj Singh,Mohd. Yasir

**Counsel for Respondent :-** C.S.C.,Kumar Ayush

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7. **Case :-** WRIT - C No. - 5559 of 2025

**Petitioner :-** Madarsa Hidayatul Uloom Samiti And Another

**Respondent :-** State Of U.P. Thru. Addl. Chief Secy. Minority Welfare Govt. Of U.P. Lko. And 4 Others

**Counsel for Petitioner :-** Aviral Raj Singh,Ali Moid,Alok Kumar Singh,Ashutosh Verma,Palash Banerjee,Vaibhav Tiwari

**Counsel for Respondent :-** C.S.C.,Kumar Ayush

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8. **Case :-** WRIT - C No. - 5567 of 2025

**Petitioner :-** Madarsa Hameediya Rayazul Uloom And Another

**Respondent :-** State Of U.P. Thru. Addl. Chief Secy. Minority Welfare Lko. And 4 Others

**Counsel for Petitioner :-** Ali Moid,Alok Kumar Singh,Ashutosh Verma,Aviral Raj Singh,Palash Banerjee,Vaibhav Tiwari

**Counsel for Respondent :-** C.S.C.,Kumar Ayush

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9. **Case :-** WRIT - C No. - 5578 of 2025

**Petitioner :-** Madarsa Ahle Sunnat Val Jamaat Gausul Uloom Distt. Shrawasti And Another

**Respondent :-** State Of U.P. Thru. Addl. Chief Secy. Minority Welfare Lko. And 4 Others

**Counsel for Petitioner :-** Aviral Raj Singh,Ali Moid,Ashutosh Verma,Mohd. Yasir

**Counsel for Respondent :-** C.S.C.,Kumar Ayush

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10. **Case :-** WRIT - C No. - 5580 of 2025

**Petitioner :-** Madarsa Majahre Hak And Another

**Respondent :-** State Of U.P. Thru. Addl. Chief Secy. Minority Welfare Govt. Lko. And 4 Others

**Counsel for Petitioner :-** Aviral Raj Singh,Ali Moid,Ashutosh

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Verma, Mohd. Yasir

**Counsel for Respondent :-** C.S.C., Kumar Ayush

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11. **Case :-** WRIT - C No. - 5583 of 2025

**Petitioner :-** Madarsa Gausiya Gulshane Ghazi Mukhtarul Uloom And Another

**Respondent :-** State Of U.P. Thru. Addl. Chief Secy. Minority Welfare Govt. Of U.P. Lko. And 4 Others

**Counsel for Petitioner :-** Ali Moid, Ashutosh Verma, Aviral Raj Singh, Mohd. Yasir

**Counsel for Respondent :-** C.S.C., Kumar Ayush

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12. **Case :-** WRIT - C No. - 5584 of 2025

**Petitioner :-** Madarsa Masoodiya Faizane Ahmad Raza Khairi Tarai Shrawasti And Another

**Respondent :-** State Of U.P. Thru. Addl. Chief Secy. Minority Welfare Lko. And 4 Others

**Counsel for Petitioner :-** Aviral Raj Singh, Ali Moid, Ashutosh Verma

**Counsel for Respondent :-** C.S.C., Kumar Ayush

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13. **Case :-** WRIT - C No. - 5599 of 2025

**Petitioner :-** Darul Uloom Gausia Chishtiya Tajul Uloom And Another

**Respondent :-** State Of U.P. Thru. Addl. Chief Secy. Minority Welfare Lko. And 4 Others

**Counsel for Petitioner :-** Ali Moid, Ashutosh Verma, Aviral Raj Singh

**Counsel for Respondent :-** C.S.C., Kumar Ayush

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14. **Case :-** WRIT - C No. - 5600 of 2025

**Petitioner :-** Madarsa Masoodiya Darul Uloom Yateem Khana And Another

**Respondent :-** State Of U.P. Thru. Addl. Chief Secy. Minority Welfare Govt. Lko And 4 Others

**Counsel for Petitioner :-** Aviral Raj Singh, Ali Moid, Ashutosh Verma, Mohd. Yasir

**Counsel for Respondent :-** C.S.C., Kumar Ayush

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15. **Case :-** WRIT - C No. - 5602 of 2025

**Petitioner :-** Jamiya Abu Bakra Anwarul Quran Distt. Shrawasti And

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Another

**Respondent :-** State Of U.P. Thru. Addl. Chief Secy. Minority Welfare Lko. And 4 Others

**Counsel for Petitioner :-** Aviral Raj Singh, Ali Moid, Alok Kumar Singh, Ashutosh Verma, Palash Banerjee, Vaibhav Tiwari

**Counsel for Respondent :-** C.S.C., Kumar Ayush

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16. **Case :-** WRIT - C No. - 5604 of 2025

**Petitioner :-** Madarsa Irshadul Uloom And Another

**Respondent :-** State Of U.P. Thru. Addl. Chief Secy. Minority Welfare Lko. And 4 Others

**Counsel for Petitioner :-** Aviral Raj Singh, Ali Moid, Ashutosh Verma, Mohd. Yasir

**Counsel for Respondent :-** C.S.C., Kumar Ayush

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17. **Case :-** WRIT - C No. - 5606 of 2025

**Petitioner :-** Madarsa Misbahul Uloom And Another

**Respondent :-** State Of U.P. Thru. Addl. Chief Secy. Minority Welfare Lko And 4 Others

**Counsel for Petitioner :-** Aviral Raj Singh, Ali Moid, Ashutosh Verma, Mohd. Yasir

**Counsel for Respondent :-** C.S.C., Kumar Ayush

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18. **Case :-** WRIT - C No. - 5609 of 2025

**Petitioner :-** Madarsa Imadul Uloom Qasmiya And Another

**Respondent :-** State Of U.P. Thru. Addl. Chief Secy. Minority Welfare Govt. Sectt. Lko And 4 Others

**Counsel for Petitioner :-** Aviral Raj Singh, Ali Moid, Ashutosh Verma, Mohd. Yasir

**Counsel for Respondent :-** C.S.C., Kumar Ayush

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19. **Case :-** WRIT - C No. - 5608 of 2025

**Petitioner :-** Madarsa Islamiya Darul Uloom Majeediya And Another

**Respondent :-** State Of U.P. Thru. Addl. Chief Secy. Minority Welfare Govt. Of U.P. Lko. And 4 Others

**Counsel for Petitioner :-** Ali Moid, Ashutosh Verma, Aviral Raj Singh, Mohd. Yasir

**Counsel for Respondent :-** C.S.C., Kumar Ayush

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20. **Case :-** WRIT - C No. - 5611 of 2025

**Petitioner :-** Madarsa Irfania Tehfizul Quran And Another

**Respondent :-** State Of U.P. Thru. Addl Chief Secy. Minority Welfare Lko And 4 Others

**Counsel for Petitioner :-** Ali Moid,Alok Kumar Singh,Ashutosh Verma,Aviral Raj Singh,Palash Banerjee,Vaibhav Tiwari

**Counsel for Respondent :-** C.S.C.,Kumar Ayush

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21. **Case :-** WRIT - C No. - 5613 of 2025

**Petitioner :-** Madarsa Ahle Sunnat Gausiya Imam Ahmed Khan And Another

**Respondent :-** State Of U.P. Thru. Addl. Chief Secy. Minority Welfare Govt. Of U.P. Lko. And 4 Others

**Counsel for Petitioner :-** Ali Moid,Ashutosh Verma,Aviral Raj Singh

**Counsel for Respondent :-** C.S.C.,Kumar Ayush

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22. **Case :-** WRIT - C No. - 5633 of 2025

**Petitioner :-** Madarsa Dai Haleema Lilbanat Shiksha Samiti And Another

**Respondent :-** State Of U.P. Thru. Addl. Chief Secy. Minority Welfare Gvt. Lko And 4 Others

**Counsel for Petitioner :-** Ali Moid,Ashutosh Verma,Aviral Raj Singh

**Counsel for Respondent :-** C.S.C.,Kumar Ayush

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23. **Case :-** WRIT - C No. - 5637 of 2025

**Petitioner :-** C/M Of Madrsa Darul Uloon Ahle Sunnat Gause Aajam Thru. Secy. Ziyauddin Khan

**Respondent :-** State Of U.P. Thru. Addl. Secy. Minority Welfare Govt. Lko And 4 Others

**Counsel for Petitioner :-** Nripendra Mishra,Dinesh Kumar Mishra

**Counsel for Respondent :-** C.S.C.

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24. **Case :-** WRIT - C No. - 5659 of 2025

**Petitioner :-** Madarsa Gajiya Gulshane Raza Ahle Sunnat Thru. Manager Shrawasti And Another

**Respondent :-** State Of U.P. Thru. Addl. Chief Secy. Minority Welfare U.P. Lko. And 4 Others

**Counsel for Petitioner :-** Aviral Raj Singh,Ali Moid,Ashutosh Verma,Mohd. Yasir

**Counsel for Respondent :-** C.S.C.,Kumar Ayush

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25. **Case :-** WRIT - C No. - 5721 of 2025

**Petitioner :-** Madarsa Islamiya Anwarul Islam Samiti Thru.Manager And Another

**Respondent :-** State Of U.P. Thru. Addl. Chief Secy. Minority Welfare Govt. Of U.P. Lko. And 4 Others

**Counsel for Petitioner :-** Ali Moid,Aviral Raj Singh,Mohd. Yasir

**Counsel for Respondent :-** C.S.C.,Kumar Ayush

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26. **Case :-** WRIT - C No. - 5723 of 2025

**Petitioner :-** Madarsa Gausiya Sultanul Uloom Thr.Manager Another

**Respondent :-** State Of U.P. Thru. Addl. Chief Secy. Minority Welfare Lko. And 4 Others

**Counsel for Petitioner :-** Ali Moid,Aviral Raj Singh,Mohd. Yasir

**Counsel for Respondent :-** C.S.C.,Kumar Ayush

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27. **Case :-** WRIT - C No. - 5725 of 2025

**Petitioner :-** Madarsa Arabiya Darul Uloom And Another

**Respondent :-** State Of U.P. Thru. Addl. Chief Secy. Minority Welfare Lko. And 4 Others

**Counsel for Petitioner :-** Ali Moid,Aviral Raj Singh,Mohd. Yasir

**Counsel for Respondent :-** C.S.C.,Kumar Ayush

### **Hon'ble Jaspreet Singh,J.**

Heard Shri Nipendra Singh, Shri Aviral Raj Singh, Ali Moid, Mohd. Yasir, learned counsel for the respective petitioners in the above noted petitions and Shri Upendra Singh, learned Standing Counsel for the State and Shri Mohd. Irfan, Advocate holding brief of Shri Kumar Ayush, learned counsel appearing on behalf of respondent no.5 in some of the connected writ petitions.

This is a bunch of writ petitions wherein several

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Madarsas have come up before this court assailing the action of the respondent State who have issued notices to the said Madarsas restraining them from imparting religious education.

It will be relevant to notice that earlier another Madarsa namely Maktab Anwarul Uloom, Shravasti had approached this court by means of filing Writ-C No.4464 of 2025 wherein similar issue was involved wherein this court by means of the order dated 14.5.2025 had allowed the petition considering the consensus which was arrived at between the parties and specifically recorded that no opportunity of hearing was granted to the petitioner in the said case.

The petitioners in all these petitions have brought on record the order dated 14.5.2025 as passed in Writ -C No.4464 of 2025 indicating that the present petitioners have also not been granted any opportunity of hearing and they be provided similar benefit.

This matter was taken up on 4.6.2025 and since there were large number of petitions, accordingly time was granted to the learned Standing Counsel

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to seek instructions and also to produce the record. In furtherance thereof, the said matters have been listed today and the learned Standing Counsel on the basis of the instructions received under the signatures of the District Minority Welfare Officer, Shrawasti has sought two weeks' time.

Be that as it may, the submission of learned counsel for the petitioners in the respective petitions is two fold (i). that all the Madaras have been issued with alleged notices which were never served on them and are dated 1.5.2025. However, insofar as Writ-C No.5552/2025, 5659/2025, 5721/2025 and 5723/2025 are concerned, the date of notice is different ; ii). the aforesaid notice had been issued without due application of mind inasmuch as in majority of the petitions, the notice is dated 1.5.2025 and all the notices are issued to different Madaras but they all bear one particular number i.e. no.56.

The contention is that this conduct indicates mechanical exercise and no proper application of mind. It is also submitted that the language which is used in the said notices, indicates that a



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pre mediated decision has been taken and there is no purpose for the Madrasas to respond as the action has been taken before waiting for the response.

It has further been urged that where any order is proposed to be passed against any person or an institution which gives rise to civil consequences, the least that is expected in law is to put the person to proper notice. It is urged that though there is a reference to certain notices issued earlier, but nevertheless none of the notice has been served on the petitioners.

This court notices that when the matter was taken up yesterday i.e. on 4.6.2025, this was the submission which was made and it is for the aforesaid reason that the court had required learned Standing Counsel not only to update his instructions but also to produce the record to ascertain whether notice was issued and served upon the petitioners.

Despite seeking time, the record has not been placed before the court today and two weeks' time has been sought by the State.

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Taking note of the notices sent to the petitioners dated 1.5.2025, it reflects that all notices are bearing one number and prima facie appears to have been issued without due application of mind.

Learned Standing Counsel at this stage could not dispute the fact that all the notices which have been issued and have been brought on record are bearing one number. It was also put to learned Standing Counsel under what provision, the recognition is to be taken by the Madarasas, it has been stated that the same is required in terms of Uttar Pradesh Non-Governmental Arabic and Persian Madarsa Recognition, Administration and Services Regulations, 2016. However, as far as the letters/ order dated 1.5.2025 is concerned, the same do not relate or make a reference to the aforesaid Regulations except in three cases before this Court.

It is now equally well settled that where any notice in the nature of a show cause is issued, it must be issued with sufficient particularity so that the noticee can respond specifically and can know what charge is to be replied.

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Considering the aforesaid, at this stage, the case for *prima facie* intervention is made out. Respondent State prays for two weeks' time to file counter affidavit. Let the same be filed within the aforesaid period with advance copy to the counsel for the petitioners.

List this case on 3.7.2025, as fresh.

As an interim measure, it is provided that no coercive action or demolitions shall be taken against the petitioners, till the next date of listing.

**Order Date :- 5.6.2025**

Shukla