

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.5297 of 2015

Binod Prasad, son of Sri Janka Mahto, resident of Village + P.O.- Naghra, P.S.- Deep Nagar, District- Nalanda (Biharsharif).

.... Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary Education Department, Bihar, Patna.
2. The Director, Secondary Education, Education Department, Patna.
3. The Secretary, Bihar School Examination Board, Bihar, Patna.
4. The Secretary Body of the K.S.T. College, Salempur, Sohsarai, District- Nalanda (Biharsharif).
5. The Principal, K.S.T. College, Salempur, Sohsarai, Nalanda, District- Nalanda (Biharsharif).

.... Respondent/s

Appearance :

For the Petitioner/s : Mr. Ramchandra Singh
For the Respondent/s : Mr. PARTHA SARTHI- GA11

CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 22-04-2015

Under the controversial facts which are emerging from the adjudication or decision contained in Annexure-12, the only way such disputes can be settled is by allowing the petitioner to approach a civil court for appropriate declaration because both oral as well as documentary evidence will be required to be produced and evidence taken in this regard with regard to the status of the petitioner. Such adjudication cannot be made under Article 226 of the Constitution of India.

2. Writ application is dismissed with above liberty.

(Ajay Kumar Tripathi, J)

R.K.Pathak/-

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