

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.3947 of 2015

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1. Ashok Kumar S/o late Yogendra Marik, Residing at Vill - Koriyapatti, P.O. - Hullas, P.S. - Raghapur, Dist - Supaul.
 2. Surendra Marik S/o - late Vishwanath Marik, Residing at Vill - Koriyapatti, P.O. - Hullas, P.S. - Raghapur, Dist - Supaul.
 3. Umesh Chandra Jha S/o - late Moti Lal Jha, Residing at Vill - Arraha, P.S. - Sanskrit Nirmali, P.S. - Pratapganj, Dist - Supaul.
 4. Rajdeo Goyit S/o - late Poddar Goyit, Residing at Vill - Gonha, P.O. - Gonha, P.S. - Triveniganj, Dist - Supaul.
 5. Arun Kumar Jha S/o - late Mohnath Jha, Residing at Vill - Sripur, P.O. - Sripur, P.S. - Pratapganj, Dist - Supaul.
 6. Sudhir Narayan S/o - late Bhagwat Jha, Residing at Vill - Sripur Daulatpur, P.O. - Sripur, P.S. - Pratapganj, Dist - Supaul.

.... Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary, Department of Human Resources, New Secretariat, Patna.
2. The Secretary, Bihar Sanskrit Education Board, at Chittkhora, Patna.
3. The District Education Officer, Supaul.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. R S Roy, Sr. Advocate
Mr. Binod Kumar Singh
For the Respondent State: Mr. Indrajeet Bhushan, AC to GP 2
For Sanskrit Shiksha Board : Mr. S. S. Sundaram

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 18-05-2015

There are some very serious disputes with regard to facts which led to passing of the impugned order, which is under challenge in the present writ application. The serious dispute relates not only to existence of these petitioners as teachers but also the institution itself. Whether such an institution, if at all, is in existence and if it is so it requires to be established in the background of the enquiry conducted by the Sanskrit Shiksha Board as well as the State authorities especially the District Education Officer, Supaul.

2. The dispute being such, it will be in the interest of one and all that the petitioners be relegated to civil court of competent jurisdiction to get an appropriate declaration with regard to their status as also of the institution. Till such a clear and categorical finding emerges after taking of both oral and documentary evidence, this Court in a summary proceeding cannot come to a conclusion and extend relief to the petitioners.

3. Writ application therefore stands disposed of with liberty as above.

(Ajay Kumar Tripathi, J)

R.K.Pathak/-

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