

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12241 of 2014

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1. Umesh Kumar, (The Sec. of Saran Zila Abhibhawak Manch) S/o Late Jugeshwar Rai, Resident of Village Bhinnik Tola, P.S. Sonapur, District Saran.

.... Petitioner

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
2. The Principal Secretary H.R.D., Govt. of Bihar, Patna.
3. The Secretary, Bihar Vidyalaya Pariksha Samiti (Uchch Madhyamik) Budh Marg, Patna.
4. The Director, Department of Education, H.R.D. Govt. of Bihar, Patna.
5. The District Magistrate, Saran at Chapra.
6. The D.E.O., Saran at Chapra.
7. The District Programme Officer, Saran at Chapra.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Dhananjay Mishra, Advocate.
For the State : Mr. Jawahar Pd. Karna AAG-4
For the BSEB : Mr. Sunil Kumar Mandal, Advocate.

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE I. A. ANSARI

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 05-01-2015 The educational institutions in the State of Bihar, it appears, do not have a limit on the strength of the students that may be admitted in any class up to Class-10.

Through proceeding, dated 15.5.2014, the Government fixed the strength at +2 level at 120 in Arts and 120 in Science in each of the institutions, mentioned therein.

The petitioner filed this writ petition in the

form of a Public Interest Litigation complaining that fixing of such a strength will deprive a large number of students, particularly from village areas, from being admitted at the +2 stage.

Mr. Sunil Kumar Mandal, learned counsel for the respondent Bihar School Examination Board, on instructions submits that though the strength has been fixed with a view to raising standards, it has been relaxed taking into account, the acute public demand.

Heard learned counsel for the petitioner and learned counsel for the respondents.

The petitioner objects to the fixation of the seats at +2 stage. We do not agree with the petitioner that there should not be limit at +2 stage. The fixation of the seats would depend upon the infrastructure available in the institution and the potential or the availability of the students in the area.

Be that as it may, the grievance of the petitioner stood redressed with the relaxation of strength at the level of Government itself. It has been specifically mentioned in the counter affidavit that all the students who were qualified at class 10 level have been admitted at the +2 stage.

We, therefore, dispose of this writ petition as infructuous.

Interlocutory Application, if any, stands disposed of.

There shall be no order as to costs.

(L. Narasimha Reddy,CJ.)

(I. A. Ansari, J.)

K.C.jha/Mahesh

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