

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.7350 of 2014

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Suneshwar Brahmchari, Son of Naresh Hazra, Resident of Village- Srirampur, Post Office- Bhitharba Police Station- Gonaha, District- West Champaran

.... Petitioner/s

Versus

1. The Bihar School Examination Board, Budh Marg, Patna through its Secretary.
2. The Secretary, H.R.D. Bihar, Patna
3. The Chairman, Bihar School Examination Board, Budh Marg, Patna
4. The Principal, District Institute of Education and Training (DIET), Kumarbag, West Champaran, Bihar

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Parmanand Kumar
For the Respondent No.2 : Mr. Rakesh Kr. Singh, AC to GP-3
For the Respondent No.1, 3 & 4: None.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA

ORAL JUDGMENT

Date: 20-01-2015

Heard learned counsel appearing on behalf of the petitioner and learned A.C. to GP-3, appearing on behalf of the respondent no.2. However, none appears on behalf of the Bihar School Examination Board (respondent No.1) and its functionaries, though, according to the learned counsel for the petitioner, two copies of the writ petition have been served upon the retained counsel.

In view of the nature of claims raised on behalf of the petitioner in the present writ petition, this Court is of the opinion that the interest of justice shall be sub-served if the petitioner is granted liberty to file a comprehensive representation before the Secretary, Bihar School Examination Board, Budh Marg, Patna with all supporting documents raising all the grievances, which have been raised in the present writ petition. It is ordered accordingly.

If such a comprehensive representation is filed on behalf of

the petitioner within a period of one month from today with a certified copy of the present order, then the Secretary of the Bihar School Examination Board, Budh Marg, Patna or any other competent authority of the respondent Board shall be obliged to consider and dispose of such representation of the petitioner by a reasoned and speaking order at an early date preferably within a period of two months from the date of filing of such representation.

If on consideration of the materials the Secretary of the Bihar School Examination Board or any other competent authority of the Board comes to a conclusion that claims raised on behalf of the petitioner are admissible to him, then consequential order shall also be issued for grant of such admissible claims without any unnecessary further delay.

It is clarified that this Court has not gone into the merits of the claims raised on behalf of the petitioner in the present writ petition and it is left to be decided by the competent authority of the respondent Board strictly in accordance with law.

The writ petition stands finally disposed of with the observations and directions made above.

(Birendra Prasad Verma, J)

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