

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.195 of 2015
Arising out of
Civil Writ Jurisdiction Case No. 17463 of 2013**

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Pramod Kumar S/o Devendra Kumar, Resident of Village Naini, P.S. Chapra
Muffasil, District Saran.

.... Petitioner /Appellant

Versus

1. The State of Bihar through District Magistrate, Saran.
2. The Superintendent of Police, Saran.
3. The Regional Deputy Director of Education, Chapra, Saran.
4. The District Education Officer, Saran.
5. Dr. Puniyadeo Singh, Secretary, Balika Uchch Vidyalaya, Naini, Saran.

.... Respondents / Respondents

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Appearance :

For the Appellant/s : Mr. Rajendra Singh, Sr. Advocate
Mr. Rajeev Kumar Singh, Advocate
For the Respondent/s : Mr. Mrigendra Kumar, AC to G A 11

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CORAM: HONOURABLE MR. JUSTICE HEMANT GUPTA

and

HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE HEMANT GUPTA)

Date: 12-07-2016

The order dated 13th September, 2013 passed by the learned
Single Bench in CWJC No. 17463 of 2013 is the subject matter of the
challenge in the present Letters Patent Appeal. The learned Single
Bench found that the challenge in the writ petition is to the order of
termination dated 27th May, 2013 by a private institution. Therefore,
the writ petition is not maintainable.

We have learned counsel for the appellant and found that
no cause is made out for invoking the jurisdiction of this Court on the
basis of representation dated 27th May, 2013 submitted to the District

Magistrate, Saran at Chapra.

The grievance of the appellant is against Dr. Puniyadeo Singh, Secretary of the erstwhile Managing Committee of the school and his nephew Arun Kumar Singh. It is alleged that both of them are harassing him and, therefore, necessary action should be taken so that the school runs properly without fear and favour.

We find that the grievance of the petitioner is against two individuals and not even against the Managing Committee. Such action against individuals does not warrant any interference in exercise of the writ jurisdiction. Whether there is any threat or there is any misbehaviour by any individual are the disputed questions of fact and can appropriately be raised before other alternative forum rather than in a writ application.

We do not find any reason to interfere with the order passed by the learned Single Bench in CWJC No. 17463 of 2013. The present appeal is accordingly dismissed.

(Hemant Gupta, J)

(Ahsanuddin Amanullah, J)

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