

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5590 of 2015

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1. St. Xavier's High School, Gandhi Maidan, P.S. - Gandhi Maidan, District- Patna through its Principal, Father Jacob, O.A., S.J., aged 51 years, son of Thomman Iype, Resident of St. Xavier's School Campus, P.S. - Gandhi Maidan, District - Patna.

2. Father Jacob, O.A., S.J., aged 51 years, son of Thomman Iype, Resident of St. Xavier's School Campus, P.S. - Gandhi Maidan, District - Patna.

.... Petitioner/s

Versus

1. The Bihar State through the Principal Secretary, Department of Education, Government of Bihar, Patna.

2. The Bihar State Commission for Protection of Child Rights, 22/B, Harding Road, Patna- 800001 through its Secretary.

3. The Chairman, Bihar State Commission for Protection of Child Rights, 22/B, Harding Road, Patna- 800001 through its Secretary.

4. The Child Protection Officer, Bihar State Commission for Protection of Child Rights, 22/B, Harding Road, Patna- 800001 through its Secretary.

5. Pradeep Kumar, son of late Ram Chandra Prasad, resident of Flat No. 7, 2nd Floor, Tulsi Apartment, Govind Mitra Road, P.S. - Pirbahore, District- Patna.

.... Respondent/s

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Appearance:

For the Petitioner/s : Mr. Satyabir Bharti, Advocate.

For the Respondent/s : Mr. Ajit Pratap Singh, SC15.

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI
ORAL JUDGMENT

3 08-03-2016 The controversy must rest now. So far as the order dated 05.04.2015 passed by the Bihar State Commission for Protection of Child Rights is concerned, the same will not be acted upon. The Court is compelled to record that it is a case of a weak student through and through who has not been able to come up with the marks despite the indulgence granted by the school for improvement. Even this Court was misled into believing that the student had a very good career and due to some unforeseen

circumstances, he did not perform well in the previous examination.

The writ application is allowed.

The impugned order dated 05.02.2015, contained in Annexure-15, is hereby quashed.

(Ajay Kumar Tripathi, J)

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