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# IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.2179 of 2015**
**Arising out of**
**Civil Writ Jurisdiction Case No. 16756 of 2008**

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Ganesh Mahaseth, S/o Sri Brijnandan Mahaseth, Resident of Village- Marar, P.O. Punaura, District- Sitamarhi.

.... .... Appellant/s

Versus

1. The State of Bihar
2. The Principal Secretary, Primary, Secondary and Adult Education, Government of Bihar, Patna.
3. The Director, Research and Training, Government of Bihar, Patna.
4. The District Education Officer, Sitamarhi.
5. The Bihar School Examination Board, through its Secretary, Sinha Library Road, Patna.
6. The Noorul Hassan, Minority Primary Teacher Education Collage, Khilafatbagh, Mahswli, Chowk, Sitamarhi.
7. Shmbhu Prasad, S/o Ram Ekbal Prasad, resident of Gandhi Chowk, Main Road, P.O. & P.S. Sitamarhi, District Sitamarhi.
8. Ram Dayal Singh, S/o Sri Mahesh Mahto, Resident of Village & P.O. Bhup Bhaido, P.S. & District Sitamarhi.
9. Ram Vinod Singh, S/o Sri Thithar Singh, Resident of Village & P.O. Kumhara Vishnupur Naritola, Via Manik Cowk District Sitamarhi.
10. Vishwanath Prasad Gupta, S/o Late Amrit Sah, resident of Village & P.O. Amauna, P.S. Phulparas, District Sitamarhi.
11. Bhola Mahto, S/o Sri Bramdeo Mahto, Resident of Village & P.O. Bhup Bhairo, P.S. & District Sitamarhi.
12. Binod Pandey, S/o Sri Kameshwar Pandey, resident of Village Bira Chapara, P.O. Bhoraha, P.S. Shyampur, District- Sheohar. Old Sitamarhi
13. Girija Kumari, D/o Sri Ramashish Choudhary, resident of Village , P.O. & P.S. Sursand, District Sitamarhi.
14. Parmanand Bhushan, S/o Late Saryug Prasad resident of Village Narkatiya, P.O. Daskawa Via P.S. P.S. Sonbarsa, District Sitamarhi.
15. Ran Prakash Sahni, S/o Late Jharilal Sahni, resident of Village Haibatpur, P.O.

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Koriyahabaitpur, P.S. Mufassil, District Begusarai.

16. Bibhuti Ishwar, S/o Late Ram Sagar Ishwar, resident of Village Siuri, P.O.; Majhaul, P.S. Chaiya, Bariarpur, District Begusarai.
17. Shambhu Sharma, S/o Sri Ram Dahin Singh, resident of Village Majhaulia, Goaipur, P.O. Rasbulpur, P.S. Dumra, District Sitamarhi.
18. Manoj Kumar, S/o Sri Kapildeo Prasad Sahu, resident of Village Chanakyapuri Mela Road, Bhavdepur, District Sitamarhi.
19. Manoj Kumar, S/o Sri Ram Nath Pandey, resident of Village & P.O. Nonfrwa, P.S. Patahi, District East Champaran.
20. Bijay Kumar Singh, S/o Sri Ram Bachan Singh, resident of Village Jabahi, P.O. Radhapur, P.S. Sursand, District Sitamarhi.
21. Neelam Kumari, D/o Sri Ram Bachan Singh, resident of Village Jabahi, P.O. Radhapur, P.S. Sursand, District Sitamarhi.
22. Samina Khatoon, D/o Md. Yunus, resident of Village- Abapur, P.S. Pupri, District Sitamarhi.

.... .... Respondent/s

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**Appearance :**
For the Appellant/s : Mr. R.K. Srivastava, Advocate.
For the Respondent/s : Mr. Anwar Karim, A.C. to G.P. 10

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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: 06-09-2016**

Re.:I.A. No. 9467 of 2015

The application is for condonation of delay of 70 days in filing the Letters Patent Appeal.

2. For the reasons mentioned in the Interlocutory Application, we are satisfied that the appellant has shown sufficient cause to seek condonation of delay of 70 days in filing the present

Letters Patent Appeal.

3. Consequently, Interlocutory Application No. 9467 of 2015 is allowed and delay of 70 days in filing the Letters Patent Appeal is condoned.

Re.: L.P.A. No. 2179 of 2015

Heard learned counsel for the parties.

2. The challenge in the present Letters Patent Appeal is to an order passed by the learned Single Bench of this Court on 21st of July, 2015 in C.W.J.C. No. 16756 of 2008 whereby, direction for publication of result for the Sessions 1986-88 and 1987-89 was not entertained for the reason that the Institution from which the appellant is said to have undertaken training has not been granted recognition.

3. The appellant is said to have obtained training during the Sessions 1986-88 from Noorul Hassan Minority Teacher Training College, Sitamarhi. The said college was not granted recognition. The appellant has obtained training from the said Institution but his result has not been published by the Bihar School Examination Board. Aggrieved against the non-publication of result, the appellant has invoked the writ jurisdiction of this Court which has since been dismissed.

4. Similar claim of the students of the same batch was raised in C.W.J.C. No. 3003 of 2006 (Md. Sohail Ahmad & Ors. Vs.

The State of Bihar & Ors.) and vide order dated 28th of August, 2006 such claim has been declined.

5. In view of the fact that the Institution from where the appellant has obtained training has not been granted recognition, the appellant cannot seek declaration of the result from the Bihar School Examination Board. In fact, the issue of recognition was specifically declined by the State Government on 3rd of September, 2008.

6. We do not find any merit in the present Letters Patent Appeal. The same is dismissed.

**(Hemant Gupta, J)**

**(Ahsanuddin Amanullah, J)**

P.K.P.
N.A.F.R.

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