

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18297 of 2015

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Babban Rai @ Babban Yadav, Son of Late Janki Rai, Resident of Village & P.O.-
Arammore, P.S.- Gopalganj, District- Gopalganj.

.... Petitioner

Versus

1. The State of Bihar,
2. The Principal Secretary, Education Department, Govt. of Bihar, Patna,
3. The District Magistrate, Siwan,
4. The Bihar School Examination Board through its Chairman, Budha Marg, Patna.
5. The Secretary, Bihar School Examination Board through its Chairman, Budha Marg, Patna.
6. Ram Kripal Yadav, son of Late Dharichhan Choudhary, resident of Village-
Rampur, P.S.- Barhariya, District- Siwan.

.... Respondents

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Appearance :

For the Petitioner	:	Mr. Ramadhar Shekhar, Advocate
For the State	:	Mr. P.N. Shahi, A.A.G.10
For the Board	:	Mr. Sanjeev Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 31-03-2016

The impugned order has been passed strictly in terms of the direction issued in CWJC No.1045 of 2000 decided on 24.03.2014. Petitioner was nowhere in the horizon in the said litigation. If his status as a donor has been claimed now after the passing of the order, this Court will not declare the order passed by the Chairman of the Examination Board to be invalid or otherwise illegal.

So far as claim of the petitioner for being a donor member of the institution is concerned, he has freedom to file a suit and get an appropriate declaration in his favour and assert his right

thereafter.

Writ application is dismissed with liberty as above.

(Ajay Kumar Tripathi, J.)

Sanjay/-

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