

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.1622 of 2016
IN
Civil Writ Jurisdiction Case No. 3503 of 2016**

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1. Satendra Prasad Singh Son of Late Brajnandan Prasad Singh resident of village -
Gaura, P.S. Marhowrah, District - Saran

.... Appellant/s

Versus

1. The State of Bihar, through the Principal Secretary, Department of Education,
Govt. of Bihar, New Secretariat, Patna
2. The Director, Primary Education, New Secretariat, Patna
3. The Bihar Staff Selection Commission, Post office Veterinary College, Patna
through its Secretary
4. The Director, Research and Training, Education Department, Govt. of Bihar,
New Secretariat, Patna
5. The Secretary, Bihar School Examination Board, Patna
6. The Joint Secretary, Bihar School Examination Board, Patna
7. The Deputy Secretary, Bihar School Examination, Board, Patna
8. The District Education officer, Saran at Chapra
9. The Principal, District Institute of Education and Training (DIET), Sonpur,
District - Saran

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Sanjay Kumar Singh
For the Respondent/s : Mr. Sita Ram Yadav- GP16

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL JUDGMENT
(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

Date: 19-12-2016

The challenge in the present Letters Patent is to an order
dated 29th July, 2016 passed in C.W.J.C. No. 3503 of 2016 whereby
the claim of the appellant for correcting the academic session to 1984-
86 from 1985-87 has been rejected.

The learned Single Judge has recorded the following
findings.

“7. The records were sent for perusal. They



were examined. The records indicated that initially the petitioner and his batch were given admission for the batch 1984-86. However, for some reason that admission was cancelled. The original record indicates so in no uncertain terms and admission was granted afresh for the batch 1985-87. There is no mystery involved with why 1985-87 has been indicated in the certification of the petitioner. His claim that his admission cancellation plea should not be entertained when admission was granted for the batch of 1984-86 is a misplaced submission to make because that issue cannot be agitated at this hour. That issue should have been raised when a decision was taken to cancel the admission for the session 1984-86 and fresh admission was granted in the session 1985-87.”

A perusal of Annexure – 1 of the writ application itself shows that the appellant was admitted on 8.5.1986 for the academic session 1984-86 but his name was recommended again on 31.5.1986 for the academic session 1985-87 after cancelling the earlier admission. The fact is that the appellant was admitted in May, 1985 and has been assigned the academic session 1985-87 as per Annexure 1, attached to the writ application itself. Such is the finding of the learned Single Judge as well.

Still further, we find that the appellant has invoked the jurisdiction of the Bihar School Examination Board after more than two decades. The appellant has not sought to dispute the academic



session soon after the certificate was issued. Such fact would show that the academic session 1985-87 was the correct description.

In that view of the matter, this Letters Patent Appeal is dismissed.

(Hemant Gupta, ACJ)

Anil/Shageer-

(Dinesh Kumar Singh, J)

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	
Transmission Date	

