

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2249 of 2016

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1. Ranjeet Sharma, age about 60 years, son of Late Laxman Singh, resident of Village- Arap, P.S.- Bikram, Distt- Patna.

.... Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Education Department State Government Bihar, Patna.
2. The Principal Director, Madhayamik Shiksha, Human Resources Department, Bihar Government, Patna.
3. The Chairman, Bihar School Examination Board, Budh Marg, Patna.
4. The District Education Officer, Patna.
5. The Principal of Maina Kunwar Rajgaronmukhi Balika Vidyalaya, Arap, Bikram, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ram Sandesh Roy, Advocate
For the Respondent/s : Mr. Sunil Kumar, AC to GA-12
For the BSEB : Mr. Lalit Kishore, Sr. Advocate
Mr. Satyabir Bharti, Advocate
Mr. Alok Chandra, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE JUSTICE SMT. ANJANA MISHRA

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

3 20-09-2016 Heard Mr. Ram Sandesh Roy, learned Counsel, appearing on behalf of the petitioner, and Mr. Sunil Kumar, learned Assistant Counsel to Government Advocate No.12, appearing on behalf of the State-respondents. Heard also Mr. Lalit Kishore, learned Senior Counsel, appearing on behalf of Bihar School Examination Board.

Having regard to the fact that the alleged misappropriation of government fund was made, according to the petitioner, in the financial year 2009-2010 and 2010-2011, no

inquiry, at this distant point of time, can be made into the allegations, which have been levelled by the petitioner, particularly, when nothing concrete has been placed before this Court; rather, the allegations are more against the eligibility of the person, who has been looking after the functioning of the school concerned.

In view of the above and in the interest of justice, we allow to withdraw the application with liberty granted to the petitioner to take recourse to such provisions of law as may be permissible.

The petitioner may also, if so advised, file a First Information Report with jurisdictional police station or a complaint with criminal Court of competent jurisdiction with the allegations, which he has made against the person concerned. If the First Information Report is lodged or complaint is filed, the same shall be dealt with expeditiously and in accordance with law.

With the above observations and direction, this application stands disposed of.

(I.A. Ansari,CJ)

(Anjana Mishra, J)

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