

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11408 of 2015

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Brijbhushan Dwivedi, Son of late Surendra Dwivedi R/o Village & Post -
Bheriharwa, P.S. - Sathi, District - West Champaran at Bettiah.

.... Petitioner

Versus

1. The Bihar School Examination Board (Sr. Secondary) Budh Marg, Patna
through its Chairman.
2. The Secretary, Bihar School Examination Board, (Sr. Secondary), Budh Marg,
Patna.
3. District Education Officer, West Champaran at Bettiah.

.... Respondents

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Appearance :

For the Petitioner	:	Mr. Fakhruddin Ali Ahmad, Advocate
For the State	:	Syed Arshad Alam, S.C.3
For the Board	:	Mr. Sanjeev Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 15-03-2016

There is nothing further to be investigated or gone into after a satisfactory explanation has been given by the respondent Bihar School Examination Board in the supplementary counter affidavit as to the circumstances under which Annexure-3 came to be issued. Obviously, certain vested interests managed to get Annexure-3 notified without the approval and knowledge of the Chairman of the Bihar School Examination Board.

After the above position came to the knowledge of the Chairman the annulment of Annexure-3 and issuance of Annexure-4 was the only option. The position stands certified from the materials brought on record in the supplementary affidavit.

There are two factions and there is clash of interest that

necessitated exercise of power at the level of the Board to constitute a convener for constitution of a Managing Committee. That was the right thing to do in terms of the procedure laid down in terms of the Rules, 2015 in place.

The Court is satisfied that Annexure-4 was necessitated and has been issued in the interest of the institution and better management of the institution as such. No interference is warranted with the said decision.

Writ is dismissed.

(Ajay Kumar Tripathi, J.)

Sanjay/-

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