

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.15087 of 2014**

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Shyam Mishra son of Late Ram Naresh Mishra President of the Governing Body of  
Baba Bhutnath College, Balepur Gopalganj at present Resident of Village Kanthi  
Bathua, P.O. Bathua Bazar, P.S.- Phulwaria, District- Gopalganj.

.... .... Petitioner

Versus

1. The State of Bihar
2. The Principal Secretary, Human Resource Development Department, Govt. of Bihar, New Secretariat, Patna
3. The Director, Secondary Education, New Secretariat, Vikas Bhawan, Government of Bihar, Patna
4. The District Education Officer, Gopalganj
5. The Bihar School Examination Board through its Secretary, Budh Marg, Patna
6. The Chairman, Bihar School Examination Board, Budh Marg, Patna
7. The Secretary, Bihar School Examination Board, Budh Marg, Patna
8. The Deputy Secretary, Bihar School Examination Board, Budh Marg, Patna
9. The Governing Body of the Baba Bhunath College through its Secretary, Bathua Bazar, Gopalganj.

.... .... Respondents

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**Appearance :**

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|--------------------|---|-------------------------------|
| For the Petitioner | : | Mr. Ugranath Mallik, Advocate |
| For the State      | : | Mr. Raju Giri, G.P.30         |
| For B.S.E.B.       | : | Mr. Satyabir Bharti, Advocate |

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**CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI**  
**ORAL JUDGMENT**  
**Date: 09-02-2016**

The issues which are sought to be raised under dispute would be required to be adjudicated only by filing a suit and taking evidence documentary and oral to establish the claim of the present petitioner and his assertion. He has freedom to even assail the impugned order passed by the Board with regard to constitution of a Managing Committee and the correctness otherwise. All this will be also required to be examined keeping in mind the authenticity of the so called creation of the trust and the people behind the same.

Writ application is dismissed with liberty as above.

**(Ajay Kumar Tripathi, J.)**

Sanjay/-

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