

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11412 of 2015

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Rajeshwar Rai, Son of late Dwarik Rai, Resident of Village Bhallui, P.S. Raja Pakar, Post Basra, District Vaishali, presently working as President of "Mahavidyalya Bachao Sangharsh Samiti".

.... Petitioner

Versus

1. The State of Bihar, through the Principal Secretary, Human Resources Development Department, Government of Bihar, Patna.
2. The Secretary, Bihar School Examination Board (Senior Secondary), Patna at Buddha Marg, Patna-800001.
3. The District Education Officer, Vaishali at Hazipur, District Vaishali.
4. The Principal-cum-Secretary Sant Kabir, Mahanth Rabindra Das Brahmachari Inter College, Bhallui, at Bhallui, P.S. Raja Pakar, P.O. Basra, District Vaishali.
5. Mahanth Rabindra Das Brahmchhari Chairman of Mahanth Rabindra Das Bramchhari Foundation Trust, R/O Sant Kabir Nagar, Kabir Mathh, Jadhua, Hazipur, District Vaishali.
6. Sri Satya Prakash Das, Son of Satnam Shashtri, Resident of Village Kanvar Ramshala, Post Kanvar, District Chandauli Uttar Pradesh, Presently as trustee member of Mahanth Rabindra Das Brahmchhari Foundation Trust.

.... Respondents

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Appearance :

For the Petitioner : Mr. Rudal Prasad, Advocate
For the State : Ms. Nivedita Nirvikar, G.A.10
For the Board : Mr. Sanjeev Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI
ORAL JUDGMENT
Date: 04-03-2016

The dispute raised by the petitioner can be resolved only by moving a civil court of competent jurisdiction and getting an appropriate declaration and even praying for may be an injunction or restraint. There is no apparent error in the constitution of the Managing Committee contained in Annexure-1 which requires interference otherwise at this juncture. If the petitioner succeeds in a suit, that is another issue.

Writ application is dismissed with liberty as above.

(Ajay Kumar Tripathi, J.)

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