

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9709 of 2016

=====

The Principal Cum Secretary, Sant Binoba, Inter College Bharatkhand Parbatta,
District Khagaria through Braj Bhushan Mishra Son of Late Dilip Narayan Mishra
Resident of Bharatkhand, Police Station Parbatta, District Khagaria.

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Human Resources Department, Government of Bihar, Patna.
2. The Secretary Department of Education, Government of Bihar, Patna.
3. The Secretary Bihar School Examination Board, Patna.
4. The Chairman Bihar School Examination Board, Patna.
5. The Member, District Appellate Authority, Khagaria.
6. The District Magistrate, Khagaria.
7. Rabindra Chandra Roy (lecturer) Sanskrit Department Son of Not Known
8. Arvind Kumar Singh (lecturer) Hindi Department Son of Not Known
9. Vijay Kumar Singh (lecturer) Economics Department Son of Not Known
10. Nawal Kishore Singh (lecturer) Maithily Department Son of Not Known
11. Anmol Kumar Singh (Cashier) Son of Not Known
12. Bishwamohan Singh (lecturer) Son of Not Known
13. Jawahar Singh (Lab Boy) H. Sc. Department Son of Not Known
14. Niranjana Kumar Chaudhary (lecturer) Sanskrit Department Son of Not Known
15. Bimal Kishor Singh (lecturer) History Department Son of Not Known
16. Sant Kumar Singh (Cashier) Son of Not Known
17. Ajit Kumar Singh (lecturer) Maithily Department Son of Not Known
18. Jata Shankar Singh (lecturer) Economics Department Son of Not Known
19. Shiv Shankar Mishra Son of Not Known
20. Bahadur Sharma Son of Not Known
21. Khokho Munio Son of Not Known All 7 to 21 are Employees of Sant Binoba, Inter College Bharatkhand Parbatta, District Khagaria.

.... Respondents

=====

Appearance :

For the Petitioner	:	Mr. Shravan Kumar, Senior Advocate Mr. Satish Kumar Singh, Advocate Mr. Dinesh Maharaj, Advocate
For the State	:	Mr. AC to SC5
For the BSEB	:	Mrs. Namrata Mishra, Advocate
For Res. No.7	:	Mr. Suraj Narain Yadav, Advocate Mr. Pramod Rajpati, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 02-12-2016

Having heard learned senior counsel for the petitioner,
the private respondents as well as the State, there does not seem to be



any disagreement at least on one issue that the District Appellate Authority, Khagaria, which had initially passed an order contained in Annexure-1 and whose order's review is bring sought does not have requisite authority and jurisdiction to decide cases of such nature of institutions of Intermediate level, which the college in question is.

If that be so, Annexure-3 would be required to be quashed. Annexure-3 stands quashed. Writ is allowed. The parties now are free to take their legal battle where the jurisdiction lies.

(Ajay Kumar Tripathi, J.)

S.Kumar/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	05.12.2016
Transmission Date	NA

