

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.905 of 2016

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1. Arvind Kumar Son of Dani Singh Resident of Village - Pattal Bigha, Police Station - Hisua, District - Nawada, Presently working as Incharge Principal, Bhag Narayan Kany Mahavidyalaya, Barauni, Begusarai, Police Station - Teghra, District - Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar , through Principal Secretary, Department of Education, Government of Bihar, Patna.
2. The Director, Secondary Education, Department of Education, Government of Bihar, Patna.
3. The Regional Deputy Director of Education, Munger Division, Munger.
4. The District Education Officer, Begusarai.
5. The Bihar School Examination Board, Patna (Senior Secondary), Buddha Marg, Patna, through its Secretary, Bihar, Patna.
6. The Secretary, Bihar School Examination Board, Patna (Senior Secondary), Buddha Marg, Patna.
7. Dr. Kamini Kumari Wife of Sri Jang Bagadur Kunwar Resident of Village and Post Office - Pidhauri, Police Station - Teghra, District - Begusarai, Ex-Incharge Principal, Bhag Narayan Kanya Mahavidyalaya, Barauni, Begusarai.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shambhu Nath Jha

For the Respondent/s : Mr. SC25- A. UJJWAL

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 15-03-2016

The erstwhile District Education Officer, Begusarai who was summoned to appear has appeared in person. He has stated in no uncategorical terms that he has committed an omission by trying to interfere with the Intermediate College in question. He tenders and seeks un-qualified apology from this Court when he failed to produce any kind of rule, statute or provision by virtue of which he could interfere.

In view of the same, annexure-29 dated 21.11.2015 is quashed. This writ application is allowed.

It is left open to the parties to fight out their legal battle in a civil court of competent jurisdiction looking at the nature of the controversy with regard to the status of the present petitioner and the private respondent etc.

The account of the Institution will remain frozen till an appropriate order is obtained from the civil court of competent jurisdiction.

The Court notices that the teachers of Intermediate College are using the word 'Professor' as prefix to their names and status. This is a very serious issue in the eye of the Court and, obviously, it is a misrepresentation of the status of such teachers before the society and before the authorities. It is an un-acceptable position.

If any of the teachers of the Intermediate College uses the prefix 'Professor' before their name, the Chairman of the Bihar School Examination Board is given adequate power and jurisdiction to deal with them suitably, that may be even stoppage of their salary till they drop their prefix 'Professor' before their names.

This writ application stands disposed of with the observation/ direction aforesaid.

(Ajay Kumar Tripathi, J)

Amin/-

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