

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.534 of 2017

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Keshav Bindheshwari Uchach Madhyamik School, Arwal, through its Principal Pramod Kumar, S/o Gayani, R/o - Jonha, Post - Karpi, P.S. - Karpi, Distt. - Arwal.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Government of Bihar.
2. The State of Bihar through the Principal Secretary, Education Department, Government of Bihar, Patna
3. The District Magistrate, Arwal.
4. The District Education Officer, Arwal.
5. The Bihar School Examination Board Patna through its Chairman, Patna.
6. The Chairman, Bihar School Examination Board, Patna.
7. The Secretary, Senior Secondary School Examination Board, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ranjit Kumar
For the Respondent/s : Mr. MADANJEET SINGH-GP20

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 06-10-2017 Heard learned counsel for the petitioner.

2. Learned counsel for the petitioner has submitted that this case is squarely covered by the decision of this Court in case of *Uchatar Madhyamik School (+2) and others vs. State of Bihar and others* passed in *CWJC No. 1366 of 2017* dated **24.08.2017**. He submits that there is additional ground to assail the impugned decision of the Bihar School Examination Board (hereinafter referred to as the Board) to cancel the affiliation of the School, which is a government-aided private School up to Secondary Level and it has been



upgraded to Senior Secondary Level,, that prior to cancellation of affiliation, no show cause notice at all was given to the petitioner.

3. I find substance in the submission made on behalf of the petitioner that the present case is squarely covered by the decision of this Court in case of *Uchatar Madhyamik School (+2) and others* (supra).

4. The impugned decision of the Board stands set aside. The decision rendered in case of *Uchatar Madhyamik School* (supra) shall govern the fate of the decision of the Board, which is being assailed in the present case.

5. It is indicated that no decision can be taken by the Board adverse to the interest of the Institution without giving the Institution a due opportunity of hearing.

6. This application stands allowed.

(Chakradhari Sharan Singh, J)

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