

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13426 of 2017

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Brajnandan Kumar Sinha Son of Late Sheo Dular Singh, Resident of Khopi,
P.O.- Khopi, P.S.- Jandaha, District- Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Govt. of Bihar, New Secretariat, Patna.
2. The Principal Secretary, Education Department, Govt. of Bihar, New Secretariat, Patna.
3. The Director, Secondary Education, Govt. of Bihar, Budh Marg, Patna.
4. Bihar School Examination Board, Patna through its Secretary, Sinha Library Road, Patna.
5. Nand Kishore Singh, Secretary/ Academic Director, Ramakant Rajeshwar Educational and Social Welfare Trust, Lakhanpur, P.O.- Khoksa, District- Vaishali.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Bipin Bihari Singh
For the Respondent/s	:	Mr. SMT. SHILPA SINGH-GA12
For BSEB	:	Mr. Gyan Shankar

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 07-11-2017 Heard learned counsel for the parties.

2. The petitioner claims to be one of the donors of Ramakant Rajeshwar Education and Social Welfare Trust, Lakhanpur, Vaishali and challenges a notification, dated 16.08.2017 issued by the Director (Academics), Bihar School Examination Board, Patna, whereby a Governing Body has been constituted.

3. Learned counsel appearing on behalf of the petitioner



has submitted that the said order has been passed under Bihar School Examination Board (Senior Secondary) Affiliation Bye-Laws of Bihar School Examination Board (Senior Secondary) Affiliation Regulations, 2013.

4. Following are the reasons why I am not inclined to entertain this application:-

(a) Apparently, the pleadings in the writ application disclose dispute between two private persons/bodies over the management of the School.

(b) The petition is deficient in pleadings inasmuch as there is no averment as to which Body had established the College initially. This is in the background of the stand taken on behalf of the petitioner that this notification has been issued on an application filed by Ramakant Rajeshwari Educational and Social Welfare Trust, Lakhanpur, Vaishali.

(c) Learned counsel for the petitioner has not been able to establish that Bihar School Examination Board (Senior Secondary) Affiliation Regulations, 2013 contain different provisions than what existed in 2011 Bye-Laws, in respect of the subject matter.

5. I am of the view that only because of wrong mentioning of the provisions in the notification, cannot be held to be illegal.



6. This application is accordingly, dismissed.

(Chakradhari Sharan Singh, J)

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