

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.15060 of 2017**

Ashok Kumar Yadav, Son of Shri Khelanand Yadav, resident of Mohalla-Professor colony, Ward No. 25, Post Office + Police Station- Forbesganj.

... .. Petitioner/s

Versus

1. The Bihar School Examination Board ( Higher Secondary ) through its Chairman, Budha Marg, Patna.
2. The Chairman, Bihar School Examination Board ( Higher Secondary ), Budha Marg, Patna.
3. The Secretary, Bihar School Examination Board (Higher Secondary), Budha Marg, Patna.
4. The Director (Educational), Bihar School Examination Board (Higher Secondary), Budha Marg, Patna.
5. The State of Bihar through the Principal Secretary, Department, of Human Resources, Bihar Vikas Bhawan, New Secretariat, Patna.
6. The Director, Higher Secondary, Bihar Vikas Bhawan, New Secretariat, Patna.
7. The District Education Officer, District- Araria, Bihar.
8. The Principal, B.D.B.K.S. College, Forbesganj, District- Araria.

... .. Respondent/s

**Appearance :**

For the Petitioner/s : Mr. Rajendra Lal Das  
For the Respondent/s : Mr. SMT. SHILPA SINGH -GA12

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH**

ORAL ORDER

2      10-11-2017              The petitioner claims to be a donor member of B.D.B.K.S. College, Forbesganj, Araria and on that basis he claims to be included in the Managing Committee of the said School. His claim has been rejected by the Bihar School Examination Board by the impugned order, dated 21.10.2016.

From the impugned order, I notice that the Chairman of the Board after considering the evidence produced by the petitioner in support of his claim has concluded that he could not produce



any document to show that he had made any donation to the said School. The order impugned is reasoned.

Learned counsel appearing on behalf of the petitioner has, however, submitted that interpolations have been made in the records of the School because of which such finding has been recorded by the Chairman of the Board.

It is evident from the impugned order that the petitioner's claim is not admitted and seriously disputed. The claim, as a matter of fact, involves so many disputed questions of facts. Such claim of the petitioner cannot be entertained in a proceeding under Article 226 of the Constitution of India.

This writ application is, accordingly, dismissed.

The petitioner shall, however, be at liberty to take recourse to remedy before appropriate forum including by way of filing a suit before the Court of competent jurisdiction.

**(Chakradhari Sharan Singh, J)**

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