

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1626 of 2017

arising out of

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, District- Araria.

... .. Appellant/s

Versus

1. The Bihar School Examination Board (Higher Secondary) through its Chairman, Budha Marg, Patna.
2. The Chairman, Bihar School Examination Board (Higher Education), 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 Appellant/s	:	Mr. Md. Shamimul Hoda, Advocate
For the BSEB	:	Mr. Gyan Shankar, Advocate
For the Respondent/s	:	Mr. Ashutosh Ranjan Pandey -AAG15

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 18-12-2017

Having heard learned counsel for the parties, we find that with regard to right of the appellant for including his name as a member of the Managing Committee being donor of the property, learned Writ Court has refused to interfere into the matter on



account of disputed questions of facts and has relegated the appellant to take recourse to the common remedy. In doing so, we see no error in the order passed by the learned Writ Court warranting reconsideration.

We are informed that now, for resolution of such dispute, an alternate forum has been created, namely '*Bihar Anudanit Shikshan Sansthan Pradhikar*'. The appellant may take recourse to the remedy of approaching the aforesaid authority. The authority shall decide the matter within three months.

With the aforesaid liberty, we dispose of the appeal.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

Sunil/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	20.12.2017
Transmission Date	

