

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.1904 of 2016
IN
Civil Writ Jurisdiction Case No. 16376 of 2015**

=====

Dr. Kamlesh Kumar Son of Late Heman Mahto resident of Village - Korbaddha,
Police Station - Muffasil in the district of Samastipur.

.... Appellant/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Government of Bihar, Patna.
2. The Principal Secretary, Education Department, Government of Bihar, Patna.
3. The Bihar School Examination Board (Senior Secondary), Budh Marg, Patna through its Secretary.
4. The Secretary, Bihar School Examination Board (Senior Secondary), Budh Marg, Patna.
5. The District Education Officer, Samastipur.

.... Respondent/s

=====

Appearance :

For the Appellant/s : Mr. Sunil Kumar

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: 25-07-2017

Seeking exception to an order dated 30th August,
2016 passed by the Writ Court in C.W.J.C. No. 16376 of 2015, this
appeal has been filed.

It has been held by the learned Writ Court that an
Intermediate College is nothing but a school imparting education
under the 10+2 system of education and, therefore, the rules of
superannuation applicable to a University will not apply to such a



Institute which are covered by the provisions of the Bihar Education Board Regulation, wherein the age of superannuation were fixed as 60 years. In rejecting the claim of the appellant on such consideration, we find that no error has been committed by the learned Writ Court warranting reconsideration.

The appeal stands dismissed.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

Shageer/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	29/07/2017
Transmission Date	NA

