

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.410 of 2016

IN

Civil Writ Jurisdiction Case No. 2029 of 2014

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Bhup Narayan Mishra S/o Late Deokant Mishra resident of village - Rahimpur Rudauli, P.O. Birampur Bande P.S. Samastipur Muffasil, District Samastipur at present posted as Science Teacher in Rameshwar Bhawan Sanskrit Uchcha Vidyalaya Haripur Dihtol, P.S. Kaluahi, Dist. Madhubani.

.... Appellant / Petitioner

Versus

1. The State of Bihar through its Principal Secretary Department of Education New Secretariat, Patna.
2. The Special Director (Secondary Education), Department of Education, New Secretariat, Patna.
3. The District Education Officer, Madhubani, District - Madhubani.
4. The Bihar Sanskrit Shiksha Board, East Boring Canal Road, through its Chairman.
5. The Chairman Bihar Sanskrit Shiksha Board, East Boring Canal Road, Patna.
6. The Secretary, Bihar Sanskrit Shiksha Board, East Boring Canal Road, Patna.
7. The Managing Committee, Rameshwar Bhawan, Sanskrit Uchcha Vidyalaya, Haripur Dihtol, P.S.Kaluahi, Distt. Madhubani through its Secretary.
8. The Headmaster, Rameshwar Bhawan Sanskrit Uchcha Vidyalaya, Haripur Dihtol, P.S. Kaluahi, Distt. Madhubani.

.... Respondents / Respondents.

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Appearance:

For the Appellant/s : Mr. Rajeev Roy, Advocate.

For the State : Mr. Amanendra Kumar, AC to AAG 15.

For the Respondent no.7 : Mr. Ritesh Kumar, Advocate.

For Sanskrit Shiksha Board: Mr. S.S. Sundaram, Advocate.

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

Date: 07-12-2017

Heard learned counsel for the appellant and learned
counsel for the respondents.

The factual matrix and dispute being what it is, the learned



single Judge dealing with the matter committed no error by not giving a categorical direction for payment of salary and arrears from 01.04.1989.

The battle for supremacy and for control of the institution is not yet over because diverse kinds of notifications are still being brought on record.

If in this situation the learned single Judge has directed the committee to look into the grievance of the petitioner and come to a conclusion. We, in our opinion, are of the view that correct process and procedure has been followed. The direction of the learned single Judge, to that extent, is not required to be interfered with.

However, the direction for the committee to take a decision within a period of four months is reiterated.

The Appeal is otherwise dismissed.

(Ajay Kumar Tripathi, J)

(Rajeev Ranjan Prasad, J)

Dilip, AR

AFR/NAFR	NAFR
CAV DATE	N/A
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