

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.683 of 2016
Arisng out of
Civil Writ Jurisdiction Case No. 6242 of 2013**

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Naresh Prasad, son of Late Kali Saw, resident of Mohalla- Sonarpatti in the town of Nawada, P.O. & P.S.- Nawada, District- Nawada

.... Appellant/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Education, Government of Bihar, New Secretariat, Vikas Bhawan, Patna
2. The Principal Secretary, Department of Education, Government of Bihar, New Secretariat, Vikas Bhawan, Patna
3. The Director (Secondary Education) Department of Education, Bihar, Secondary Education Office, Budh Marg, Patna
4. The Deputy Director (Secondary Education) Department of Education, Bihar Secondary Education Office, Budh Marg, Patna
5. The Regional Deputy Director of Education, Magadh Division, Gaya
6. The District Magistrate, Nawada
7. The District Education Officer, Nawada
8. The Principal, Girls Inter School, Govindpur, District- Nawada

.... Respondent/s

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Appearance :

For the Appellant/s :
For the Respondent/s : Mr. Kinkar Kumar, S.C. 9
Mr. Rakesh Kumar Sharma, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 05-07-2017

Delay of 23 days in filing of this appeal is condoned.

I.A. No. 2895 of 2016 stands allowed and disposed of.

Considering the fact that the appellant did not challenge the Three Member Committee's report within a reasonable period and did not raise the plea with regard to the Committee not visiting the school till filing of the writ petition, the learned Writ Court has not



committed any error in refusing to interfere and relegating the appellant to take recourse to the remedy available under the statute or the common law.

Accordingly, finding no error in the order passed by the learned Writ Court, we are not inclined to interfere into the matter. This Letters Patent Appeal stands dismissed.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

P.K.P.

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
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