

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.237 of 2015
Arising out of
Civil Writ Jurisdiction Case No. 5303 of 2012**

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Mahant Ramakant Das, chela of Sheo Ram Das Jee, Resident of Village - Meghaul,
P.O- Meghaul, Police Station - Khodawanpur, District - Begusarai

.... Appellant/s

Versus

1. The State of Bihar through Chairman Bihar School Examination Board, Budh Marg, Patna
2. The Secretary Bihar School Examination Board, Budh Marg, Patna
3. The Director Bihar School Examination Board Higher Education, Budh Marg, Patna
4. Sub - Divisional Officer, Meghaul, Begusarai
5. Sri Eknath Pathak Son of Late Bindeshwari Pathak Resident of Village - Pahsara, Police Station - Naokothi, District - Begusarai
6. District Education Officer, Begusarai.

.... Respondent/s

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Appearance :

For the Appellant/s : Mrs. Archana Sinha, Advocate
Smt. Shalini Bihari, Advocate

For the Respondent/s :

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**CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY**

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 24-07-2017

Delay of 145 days in filing of the appeal is condoned.

I.A. No. 1063 of 2015 stands allowed and disposed of.

Finding there to be an *inter se* dispute between members of a private School Managing Committee in the matter of formulating *ad hoc* Committee and issues related to functioning of the school and finding there to be serious dispute on facts, the learned Writ Court refused to exercise its jurisdiction, relegated the parties to



take recourse to the common law remedy considering the fact that the issue pertains to constitution of a Managing Committee in a private Institute.

In doing so, the Writ Court has not committed any error warranting reconsideration.

The 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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