

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.992 of 2016
IN
Civil Writ Jurisdiction Case No. 11466 of 2015**

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A. K. Gopalan Shaikshik Society, A.K.Gopalan College, Sultanganj, Bhagalpur,
through its Secretary namely Prof Arjun Prasad (Rtd.) S/o Late D.N. Yadav, R/o
Mohalla - Sri Krishna Nagar, P.O. &P.S. - Ishakchak, Town & District - Bhagalpur.

.... Appellant/s

Versus

1. The Bihar School Examination Board (Senior Secondary) Patna, through its Secretary.
2. The Chairman, Bihar School Examination Board (Senior Secondary) Patna.
3. The State of Bihar through the Principal Secretary, Education Department, Government of Bihar, New Secretariat, Patna.
4. The Director, Secondary Education Department, Govt. of Bihar, Patna.

.... Respondent/s

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Appearance :

For the Appellant	:	Mr. Purushotam Kumar Jha, Advocate
For the State	:	Mr. Gyan Shankar, Advocate
For Inter.	:	Mr. Dhananjay Kumar Gupta, Advocate Mr. Shardanand Mishra, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 02-05-2017

Having heard learned counsel for the parties, we find that the notification issued vide Annexure-7, a press communiqué, which was challenged in the writ petition was only a temporary stopgap arrangement issued for operation of the Bank account of an institute till constitution of a proper Managing Committee as per the statute.

That being so, the learned Writ Court has not committed any error in not interfering with such a communication. In case now



the petitioner Society has a duly constituted governing body or Managing Committee for itself, they may approach the Bihar School Examination Board by the competent authority seeking permission to operate the Bank account and the Board shall consider the request and after examining as to whether the governing body or Managing Committee has properly been constituted, pass an appropriate order on the representation.

With the aforesaid observation and liberty, the appeal stands disposed of.

(Rajendra Menon, CJ)

(Sudhir Singh, J)

Narendra/-

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
Uploading Date	13.05.2017
Transmission Date	

