

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.17788 of 2016

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Mahanth Ram Udar Das, Chela of Late Mahanth Param Hans Das, resident of Bhabdepur Got, Police Station-Riga, District-Sitamarhi.

.... Petitioner/s

Versus

1. State of Bihar through the Principal Secretary, Higher Education, Government of Bihar, Patna.
 2. Bihar School Examination Board (Senior Secondary), Bihar, Patna, through its Secretary.
 3. Chairman, Bihar School Examination Board (Senior Secondary), Bihar Patna.
 4. Incharge-Principal, Mahanth Param Hans Das Mahila College, Sitamarhi.
 5. Dr. Ramchandra Thakur, Convener, Retd. Principal, Ram Sakal Singh Science College, Sitamarhi, presently residing at Sonawati Colony, Ward No. 27, Sitamarhi.
 6. Prof. Lalita Mishra, In-charge Principal.
 7. Prof. Shashi Bhushan Kumar, Teacher's Representative (Male).
 8. Prof. Nazrana Khatoon, Teacher's Representative (Female).
 9. Sri Krishnanand Thakur, Non-teaching Representative.
- All teaching and non-teaching staffs of Mahanth Paramhans Das Mahila Mahavidyalaya, Sitamarhi.
10. Sri Ram Babu Sah @ Ram Babu Prasad, Guardian's Representative (Male), resident of Village + Post-Kamaldah, P.S.-Bathnaha, District-Sitamarhi.
 11. Smt. Anita Devi, Guardian's Representative (Female), Wife of Sri Shiv Shankar Singh, resident of Village-Post-Bairiya, P.S.-Piprahi, District-Sheohar.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Yogendra Mishra, Sr. Adv.
Mr. Arvind Kr. Jha, Adv.

For the State : Mr. Sunil Kumar, AC to GA-12

For the BSEB : Mr. Satyabir Bharti, Adv.
Mrs. Aparna Arun, Adv.



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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL JUDGMENT & ORDER

Date: 14-11-2017

Reg. I.A. No. 7791 of 2017 :

This interlocutory application has been filed, seeking amendment in the writ application, in view of a subsequent development during the pendency of this writ application. By an order, dated 29.03.2017, passed by the Chairman, Bihar School Examination Board (Higher Secondary), Patna, the petitioner's claim, as the highest donor, has been turned down. The petitioner seeks to assail the said impugned order by seeking amendment in the writ application.

2. I.A. No. 7791 of 2017 is allowed.

3. The petitioner is allowed to challenge the impugned order, dated 29.03.2017, in the present proceeding. The averments made in I.A. No. 7791 of 2017 shall be treated to be the averments made in the writ application.

Reg. C.W.J.C. No. 17788 of 2016 :

After some arguments, learned Senior Counsel, appearing on behalf of the petitioner, has agreed that the petitioner has alternative remedy of appeal before the Tribunal, constituted



under Bihar Anudanit Teaching Institutions Tribunal Rules, 2015.

2. This application is, accordingly, disposed of with an observation that if the petitioner prefers an appeal before the Tribunal, assailing the order, which is impugned in the present proceeding, the same shall be considered and disposed of expeditiously.

3. It is indicated that if such appeal is filed within four weeks from today, the Tribunal or any other party shall not raise question of limitation, if the same arises, considering the fact that the petitioner had been pursuing his remedy before this Court.

4. The application stands disposed of accordingly.

(Chakradhari Sharan Singh, J)

Praveen-II/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	16.11.2017
Transmission Date	N/A

