

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1754 of 2016

In

Civil Writ Jurisdiction Case No. 2894 of 2016

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Tara Mehta Sant Kabir Sanskrit High School through its Secretary, namely,
Anil Tandon, Son of Late Gopal Krishna, resident of Mali Ghat, Police
Station - Mithanpura, District - Muzaffarpur. Appellant

Versus

1. The State of Bihar represented through the Principal Secretary,
Department of Human Resources, Government of Bihar, Patna.
 2. The Principal Secretary, Department of Human Resources, Government
of Bihar, Patna.
 3. The Commissioner - cum - Secretary, Department of Human Resources,
Government of Bihar, Patna.
 4. Special Director, Secondary Education, Department of Human
Resources, Government of Bihar, Patna.
 5. Bihar Sanskrit Shiksha Board, Boring Canal Road, Patna through its
Secretary.
 6. The Chairman, Bihar Sanskrit Shiksha Board, Boring Canal Road,
Patna.
 7. The Secretary, Bihar Sanskrit Shiksha Board, Boring Canal Road,
Patna. Respondents
- =====

Appearance :

For the Appellant : M/S. Ajay Kumar Thakur, Ravi Ranjan and
Nilesh Kumar, Advocates.

For the State : Mr. Upendra Pratap Singh, A.C. to S.C. 4.

For the Board : Mr. S.S.Sundaram, Advocate.

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

3 19-04-2017 Having heard learned counsel for the parties, we find

that recognition of the School of the petitioner has been denied

only on the ground that the petitioner does not fulfill the criteria

for having a land in the name of the Governor of Bihar for

establishment of the Institute in question. Even though, the

petitioner claims to have registered the land in question, in the

name of the Governor. The Special Director, Secondary



Education, Bihar, Patna, in his detailed order passed on 30.01.2015 found that the land is situated in two different areas and the distance between the two areas is more than about 1 K.M. Taking note of this finding recorded is that the land should be in one place in one piece and not in two different places and therefore the application for recognition of the Institute was rejected and the learned Writ Court has also dismissed the writ petition of the petitioner. As the petitioner does not fulfill the criteria of having one Acre of land in the name of the Institute or in the name of the Governor, recognition can not be granted. The Special Director, Education Department, Bihar, Patna, and the learned Writ Court are right in holding that the land should be contained in one area in one piece at one place so that the Campus of the Institute is in one location and not in two location 1 K.M. away from each other. The learned Writ Court has not committed any error in dismissing the writ petition on such consideration. We see no reason warranting reconsideration.

The appeal stands dismissed.

(Rajendra Menon, CJ)

(Sudhir Singh, J)

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