

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10759 of 2017

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Dhari Mahto, S/o Ram Kishun Mahto, R/o Village, Mushahari Rampur
Tokani, P.S. Simara, District- Bara (Nepal).

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Secretary, Department of Human Resources, Government of Bihar New Secretariat, Vikash Bhawan.
3. Bihar School Examination Board (Senior Secondary) through its Secretary, Budh Marge, Patna.
4. The Secretary, Bihar School Examination Board (Senior Secondary) Budh Marge, Patna.
5. The Chairman, Bihar School Examination Board (Senior Secondary) Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Brij Bihari Tiwary
For the Respondent/s	:	Mr. Ranjan Kumar, AC to GA-12
For the Board	:	Mr. Manish Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 12-10-2017 Heard learned counsel for the parties.

2. The petitioner claims to have appeared for the Intermediate Examination held in the year 1994 by the Bihar Intermediate Education Council.

3. This application has been filed seeking a direction to the Bihar School Examination Board, which is the successor body of the Bihar Intermediate Education Council to issue original certificate and mark-sheet of having passed the said Intermediate Examination, as well as direction to the respondents to grant “testimonial certificate” regarding the genuineness of the certificate issued by the Council.



4. The petitioner claims to be a citizen of Nepal.

5. This writ application has been filed 23 years after the petitioner claims to have appeared for the examination. The delay and laches on the part of the petitioner in approaching the Court comes in way of issuance of any direction as sought on behalf of the petitioner.

6. No direction can, therefore, be issued as sought for.

7. However, the petitioner shall be at liberty to approach the Bihar School Examination Board by making representation.

8. The Court expects that if the petitioner's record can be traced, the Board shall take appropriate decision in respect of issuance of mark-sheet and the original certificate, after he makes his representation.

9. This application stands disposed of.

(Chakradhari Sharan Singh, J)

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