

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19462 of 2010

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1. The Managing Committee of Gourang Pathshala High School, Jamalpur, District Munger through its Secretary namely Moni Kumar Roy @ Moni Kumar Das, son of Late Nitto Ranjan Das, resident of 202 AB, N.I. Road, Jamalpur, P.S. Jamalpur, District Munger
 2. Shibanand Bhattacharyya, son of Sri G.S. Bhattacharyya, resident of Munger Road, Chhoti Daulatpur, P.S. Jamalpur, District Munger
- Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Human Resources Development Department, Govt. of Bihar, New Secretariat, Patna
2. The Director, Secondary Education Department, Govt. of Bihar, Patna
3. The District Magistrate, Patna
4. The Regional Deputy Director of Education, Munger
5. The District Education Officer, Munger namely Mr. Radha Krishna Singh Yadav
6. Mr. Ajay Kumar Datta, son of Late Fani Bhushan Datta, C/o Sahdeo Saha, Munger Road, Jamalpur

.... Respondent/s

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Appearance :

For the Petitioners : Mr. Purushottam Kumar Jha, Advocate
For the State : Dr. Mankeshwar Tiwari, AC to AAG-3

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

6 30-06-2017

In the present writ application, the petitioners have sought for the following reliefs :

“(i) Issuance of an order, direction or a writ in the nature of certiorari quashing letter No. 10/a 2 – 03/08 – 523 dated 22.06.2010 (Annexure- 19 at page no. 103), whereby and whereunder the Respondent No. 2 has held that till the constitution of the Managing Committee of the School in accordance with law, the salary of the employees working in Gourang Pathshala High Scholl will be made on the basis of the bill counter signed by the Principal only.



(ii) Issuance of an order, direction or an appropriate declaration that the Respondent No. 5, in connivance with the Respondent No. 6 has given false and misleading report to the Respondent No. 2 about the Managing Committee of the School in question vide letter No. 384 dated 26.02.2010 (Annexure- 13 at page nos. 76 to 78) and consequent upon such declaration, this Hon'ble Court may further be pleased to quash the same (letter No. 384 dated 26.02.2010) by way of issuing a writ in the nature of certiorari.

(iii) Issuance of an order, direction or a writ in the nature of mandamus commanding the respondents concerned to allow the newly and duly constituted Managing Committee of the School in question (the petitioner no.1) as the Managing Committee of the School for all practical purposes till its tenure.”

The Managing Committee of the High School in question i.e. the petitioner No.1 was constituted in the light of the order passed by this Court vide Annexure 2 to the present writ application by way of election. Annexure-2 to the present writ application relates to an order passed in C.W.J.C. No.14500 of 2004 dated 08.09.2006. The Managing Committee was constituted in the year as back as in the year 2009 and the tenure of the



Managing Committee under the bye-laws is of 5 years. The Managing Committee has already passed its life way back in the year 2014. Hence, no substantive relief can be granted to the petitioners in the present writ application.

Considering the aforesaid facts and circumstances, the present writ application is dismissed as having become infructuous.

(Sudhir Singh, J)

Narendra/-

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