

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1903 of 2016

In

Civil Writ Jurisdiction Case No.6991 of 2014

Subodh Kumar Dwivedi, son of Late Shyam Narayan Dwivedi, resident of village and P.O. - Affour, Police Station - Khaira (O.P. Nagra), District - Saran (Chapra).

... .. Appellant/s

Versus

1. The State of Bihar.
2. The Chairman, Bihar Sanskrit Shiksha Board, Patna.
3. The Bihar Sanskrit Shiksha Board, Patna through it's Secretary.
4. The District Education Officer, Saran at Chapra.
5. The Managing Committee, Sharda Sanskrit Primary-cum-High School, Affour, District - Saran (Chapra) through its Secretary.
6. The Headmaster, Sharda Sanskrit Primary-cum-High School, Affour, District - Saran (Chapra).

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Amit Kumar Anand, Advocate
For the State	:	A.C. to AAG-15
For the B.S.S.B.	:	Mr. Satyam Shivam Sundram, Advocate Mr. Shashank Shekhar Jha, Advocate

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 20-11-2017

Having heard learned counsel for the parties and after taking note of various averments made in the writ petition, particularly the documents annexed with I.A. No. 9631 of 2016, we find that in pursuance to an advertisement issued in the Dainik Hindi Newspaper "Aaj" on 08.10.2013, appellant participated in the process of selection which was conducted by the Managing Committee of the Institute and the Managing



Committee after recommending his appointment vide Annexure-4 on 10.12.2013 sought for approval of the appointment from the Secretary, Bihar Sanskrit Shiksha Board.

The matter seems to be pending since 10.12.2013 and the Sanskrit Shiksha Board has not taken any decision with regard to the request and communication made in the matter of approval of appointment of the appellant.

Keeping in view the aforesaid, for the present, without going into the merits of the matter, it is thought appropriate to direct the Secretary, Bihar Sanskrit Shiksha Board to take up the question of approval sought for vide Annexure-4 dated 10.12.2013, place it before the appropriate committee of the Board and the Board after taking a decision shall communicate it to the Institute and the appellant within a period of 60 days of receipt of a certified copy of this order. Needless to emphasize that the appellant shall be granted opportunity to submit documents and representation in addition to the material already available in support of his contention. On the same being done, the Board shall take a decision in the matter and communicate it to the appellant along with Secretary of the Managing Committee of the Institute and till a decision is taken by the Board, no fresh appointment to the post in question shall



be made.

With the aforesaid, the Letters Patent Appeal
stands disposed of.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

P.K.P.

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
Uploading Date	23.11.2017
Transmission Date	

