

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1710 of 2013

IN

Civil Writ Jurisdiction Case No. 23177 of 2013

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Prof. Abdul Quaiyum Son Of Late Sheikh Sabdul Resident Of Village- Urdu Chowk Gajipur, P.S.- Tarapur, District- Munger, Incharge Principal Ramdeo Asharfi Intermediate College, Shambhuganj, District- Banka

.... Appellant

Versus

1. The State Of Bihar, Through Secretary Human Resources Bihar, Patna
2. Secretary, Bihar Vidyalaya Pariksha Samiti (U.M.), Budh Marg, Patna
3. Smt. Anusuya Devi Wife Of Bindeshwari Prasad Singh Resident Of Village- Mohanpur, P.O.- Mahisota, P.S.- Shambhuganj, District- Banka. Chairman Of R.A. Inter College, Shambhuganj, District- Banka
4. Sri Udai Kumar Singh Resident Of Village- Rahul Nagar, P.O. And P.S. Sultanganj, District- Banka, Secretary Of R.A. Inter College, Shambhuganj, District- Banka
5. Sri Pramod Kumar Singh Son Of Late Ram Charitra Singh Resident Of Village And P.O. Katahara, P.S.- Sultanganj, District- Bhagalpur, At Present In-Charge Principal Ramdeo Asharfi Intermediate College, Shambhuganj, District- Banka

.... Respondents

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Appearance :

For the Appellant : Mr. Rana Ishwar Chandra, Advocate

For the Respondents : Mrs. Kumari Amrita, Advocate

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

and

HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

Date: 10-03-2017

Heard counsel for the appellant and counsel for the State.

The learned single Judge has rightly dismissed the writ application refusing to exercise discretion under Article 226 of the Constitution of India in a matter relating to removal of the Principal of the Inter College, which is in the hands of a private Managing Committee. Such a view is fortified by an earlier decision noted in



the impugned order. Liberty has been given to the appellant to move a civil Court for appropriate declaration. That is good enough opportunity and relief which the appellant can avail.

Appeal is dismissed.

(Ajay Kumar Tripathi, J)

(Nilu Agrawal, J)

Pawan/-

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