

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2519 of 2017

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Anurag Kumar, son of Om Prakash Malakar, resident of village- Muradpur,
Manopur, P.O. Manopur, P.S. + Block Bhagwanpur, District- Begusarai

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Chief Secretary, Government of Bihar, Secretariat, Patna
3. The Principal Secretary, Education Department, Govt. of Bihar,
Secretariat, Patna
4. The Secretary, Bihar School Examination Board, Patna
5. The Regional Deputy Director of Education, Munger Division,
Munger
6. The District Magistrate, Begusarai
7. The District Education Officer, Begusarai
8. The District Education Officer, Lakhisarai
9. The District Programme Officer (Estabishment), Begusarai
10. The Block Education Officer, Bhagwanpur, Begusarai
11. Hareram Kumar @ Hareram Malakar son of Ramashish Bhagat
village + PO Manopur, P.S. Bhagwanpur, District- Begusarai

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Abhay Kumar Jha, Advocate
For the Respondent/s : Mr. Mukund Mohan Jha, AC to GP27

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 04-12-2017 Heard learned counsel for the petitioner,

State and for the Bihar School Examination Board.

Counsel for the petitioner ;submits that the petitioner has
already filed representation before the Respondent No. 4 and the
same is pending at the level of the Secretary, Bihar School
Examination Board.

Counsel for the State submits that the petitioner is seeking
relief against respondent No. 11 and in fact in the totality of the
fact situation, he does not come in the category of effected



person and as such the writ petition is fit to be dismissed.

The writ petition is disposed of with liberty to the petitioner to approach the respondent No. 4 by way of filing a fresh representation along with a copy of this order.

It is needless to say that in the event the respondent No. 4 finds substance in the claim of the petitioner and if any adverse order is required to be passed against the respondent No. 11, the respondent no. 4 shall issue notice to the respondent No. 11, Hareram Kumar alias Hareram Malakar and only after hearing him he may pass order which may adversely affect the interest of respondent no. 11. In the event the Examination Board is of the view that no order need be passed, he may reject the representation without issuing any notice to the respondent No. 11. such exercise must be completed within a period of six months from the date of filing of such representation.

It is made clear that this court has not expressed any opinion on the merit of the claim of the petitioner.

With the aforesaid the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

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