

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18627 of 2017

Managing Committee of Aadarsh Sanskrit High School, Chunni, Buxar through its Secretary namely Sri Braj Nandan Rai, S/o- Lal Mohar Rai, R/o- Chunni, Buxar, P.S.- Rajpur, District- Buxar.

... .. Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Education Department, Patna, Ground Floor, New Secretariat, Vikash Bhawan, Patna- 15. null null
2. The Chairman, Bihar Sanskrit Siksha Board, Patna, Add-17, Back Harding Road, Patna- 1.
3. The Joint Director, Secondary Education, Patna, Bihar, 1st Floor, Intermediate Council Bhawan, Budha Marg, Patna- 1.
4. The Secretary, Bihar Sanskrit Siksha Board, Patna, Add- 17, Back Harding Road, Patna- 1.
5. Uday Narayan Upadhyay, S/o- Late Ramashankar Upadhyay, R/o- Village- Pachauri, P.O.- Pachauri, P.S.- Gahmar, District- Gajipur (U.P.).

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Deovind Kumar Singh
For the Respondent/s : Mr. MADANJEET KUMAR - GP20

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 20-02-2018 Heard learned counsel for the parties.

2. The impugned order has been passed by the Joint Director (Secondary Education), Government of Bihar, Patna, setting aside the office order, dated 09.03.2016, in respect of constitution of the Managing Committee of Aadarsh Sanskrit High School, Chunni, Buxar mainly on the ground that the said order has not been passed by the Board, rather it has been passed by the Chairman of the Board. There cannot be any gainsaying that the decision for constitution of the Managing Committee is to be taken by the Bihar Sanskrit Education



Board. The Board would certainly mean the Chairman of the Board and its members.

3. On bare perusal of the order, dated 09.03.2016, it appears that the Committee has been constituted under the orders of the Chairman of the Board. The order, dated 09.03.2016, is illegal on the face of it, which has been declared to be illegal by the appellate authority with the issuance of the impugned order, dated 09.11.2017.

4. The impugned order dated 09.11.2017, does not require any interference by this Court.

5. This application is, accordingly, dismissed.

(Chakradhari Sharan Singh, J)

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