

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.482 of 2018
IN
Civil Writ Jurisdiction Case No. 7728 of 2017**

- =====
1. The Bihar School Examination Board, Sinha Library Road, Patna-800017 through its Secretary
 2. The Chairman, Bihar School Examination Board, Sinha Library Road, Patna-800017, Bihar.
 3. The Secretary, Bihar School Examination Board, Sinha Library Road, Patna-800017, Bihar.
 4. The Vigilance Officer, Bihar, School Examination Board, Patna, Bihar.

.... Appellant/s

Versus

1. Babula Ray Sarvodaya Uchchya Vidyalaya, Babhantoli (Rasulpur) Korigaon, Vaishali through its Secretary Anju KUMari, Wife of Sanjay Kumar resident of Mohalla-near Town High School, West Ward no.31, P.S.Hajipur Town, District Vaishali.
2. The The State of Bihar through the Principal Secretary, Human Resources Development Department, Government of Bihar, Patna.
3. The Principal Secretary, Education Department, Government of Bihar, Patna.
4. The Director, Higher Education Department, Government of Bihar, Patna.
5. The District Officer, Vaishali at Hajipur
6. The District Education Officer, Vaishali at Hajipur.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Satyabir Bharti

For the Respondent/s : Mr. Ashutosh Ranjan Pandey -AAG15

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD)

Date: 23-07-2018

Challenge in the present Letters Patent Appeal is to the order dated 09.10.2017 passed in Civil Writ Jurisdiction Case No.7728 of 2017. By the impugned order, the learned Writ Court has been pleased to upheld the submissions of the petitioner that prior to cancellation of the affiliation of the school which is a government



aided private school up to Secondary Level and has been upgraded to senior secondary level, no show cause notice at all was given to the petitioner. The learned Writ Court has set aside the impugned decision of the Board and has held that the decision rendered in the case of Uchatar Madhyamik School (+2) and Others Vs. State of Bihar and Others passed in CWJC No.1366 of 2017 dated 24.08.2017 was squarely covered this case.

We have recently decided a batch of Letters Patent Appeal bearing No.1431 of 2017 and other analogous matters. This appeal is being disposed off in the same terms in which LPA No.1431 of 2017 and other analogous cases have been decided by this Court.

(Rajendra Menon, CJ)

Arvind/-

(Rajeev Ranjan Prasad, J)

AFR/NAFR	
CAV DATE	
Uploading Date	30.07.2018
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