

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3923 of 2018

1. Vidya Shankar Thakur, S/o Laxmi Narayan Thakur, Resident of 12- Patthar, Ward No. 15, P.S.+ District- Samastipur at present the Chairman of Bihar Intermediate Teachers/ Non-teaching Staffs employees Union of Millat Kasturba Gandhi Inter Mahila College unit, Samastipur.
2. Sunita Sinha, W/o Sri Shekhar Kumar, Resident of near Thiyosophical ladge, Ram Sundar Sah lane Nayatola, Muhammadpur Kaji, P.S.+ District- Muzaffarpur at present the Secretary of Bihar Intermediate Teachers/ Non-teaching Staffs employees Union of Millat Kasturba Gandhi Inter Mahila College unit, Samastipur.
3. Dr. Binod Kumar Jha, S/o Late Baidya Nath Jha, Resident of Vishanpur, P.S. Muffasil, District- Samastipur, at present teacher of Sociology at Millat Kasturba Gandhi Inter Mahila College unit, Samastipur registered as Senior teacher and member of Governing Body of Millat Kasturba Gandhi Inter Mahila College Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Government of Bihar, Patna.
2. The Principal Secretary, Education Department, Government of Bihar, Patna.
3. The Director, Secondary Education, Education Department, Government of Bihar, Patna.
4. Bihar School Examination Board, Patna through its Secretary, Patna.
5. The Chairman, Bihar School Examination Board, Patna.
6. The Secretary, Bihar School Examination Board, Patna.
7. The Affiliation Committee of Bihar School Examination Board, Patna.
8. The Regional Education Deputy Director, Darbhanga.
9. The District Magistrate, Samastipur.
10. The District Education Officer, Samastipur.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Sushil Kumar Jha
For the Respondent/s	:	Mr. Smt.Binita Singh, SC-28
For B.S.E.B.	:	Mr. Lalit Kishore, Sr. Advocate
		Mr. Gyan Shankar

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

4 01-08-2018

The letter no. 3632 dated 22.11.2016 issued by the
Secretary, Bihar School Examination Board, whereby affiliation



granted to Millat Kasturba Gandhi Inter Mahila College, Samastipur has been cancelled is under challenge. The petitioners claim to be teachers and students of the same college.

It seems that there is no dispute that the grievance of the petitioner is squarely covered by this Court's decision dated 24.08.2017 rendered in C.W.J.C. No. 418 of 2017 (*Asha Sinha Memorial Uchcha Madhyamik Vidyalaya vs. The State of Bihar & Ors.*) and other analogous cases. The said decision will govern the present case also. Accordingly, the said communication no. 3632 dated 22.11.2016 is hereby quashed. The Bihar School Examination Board will be obliged to take a decision afresh as has been held in case of *Asha Sinha Memorial Uchcha Madhyamik Vidyalaya* (supra) read with Division Bench decision rendered in L.P.A. No. 1431 of 2017 (*The Bihar School Examination Board & Ors Vs. Asha Sinha Memorial Uchcha Madhyamik Vidyalaya & Ors.*) on 13.07.2018.

This application stands disposed of accordingly.

(Chakradhari Sharan Singh, J)

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