

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19307 of 2017

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Milat College, Birpur, District - Supaul through its Anil Kumar Son of Late Gopal Prasad Resident of Village + P.O. - Birpur, Ward No. 8, P.S. - Birpur, District - Supaul.

... .. Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary, Education Department, Government of Bihar, Patna.
2. The Principal Secretary, Education Department, Government of Bihar, Patna.
3. The Director (Education) Bihar School Examination Board (Higher Secondary), Budh Marg, Patna.
4. The Bihar School Examination Board (Higher Secondary), Budh Marg, Patna through its Secretary.
5. The Secretary, Bihar School Examination Board (Higher Middle), Budh Marg, Patna.
6. The District Magistrate, Supaul, District - Supaul.
7. The Sub Divisional Officer, Birpur, District - Supaul.
8. The District Education Officer, Supaul, District - Supaul.
9. The Principal, Rajkiya + 2 Higher Secondary School, Birpur, District - Supaul.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Sharda Nand Mishra
For the Respondent/s	:	Mr. Prabhakar Jha- GP-27
For the B.S.E.B	:	Mrs. Narmata Mishr Advocate

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 16-04-2018 Heard learned counsel for the parties.

2. The petitioner is putting to challenge a letter Memo No. 1381, dated 18.10.2016, issued under the signature of the District Education Officer, Supaul, whereby the College in question, namely, Milat College, Birpur, in the District of Supaul has been tagged with the Rajkiya +2 Higher Secondary School, Birpur. From the said letter, it appears that it is consequent upon suspension of affiliation of the School.



3. Learned counsel appearing on behalf of the petitioner submits that no order of suspension of affiliation was ever communicated by the Board nor any show cause notice was issued to the College before suspending the affiliation.

4. Neither the order granting affiliation by the Board is brought there on record nor the order of suspension of affiliation said to have been passed by the Board is available. There is no satisfactory explanation as to why the petitioner has approached this Court more than a year after communication of the impugned letter.

5. In such circumstance, without interfering with the impugned decision of the Board, this application is disposed of with an observation that the petitioner shall be at liberty to approach the competent authority of the Bihar School Examination Board in respect of suspension of the affiliation of the School.

6. This application is, accordingly, disposed of.

(Chakradhari Sharan Singh, J)

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