

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16618 of 2016

Sachchida Nand Rai, son of Late Shradha Nand Sharma, r/o Village & PO Mirapur, PS Sakra, District Muzaffarpur, at present working as Incharge Headmaster, Sri Krishna Sanskrit Madhyamik Vidyalaya Simra, PO Srikant PS Piar, District Muzaffarpur

... .. Petitioner/s

Versus

The State Of Bihar & Ors

... .. Respondent/s

Appearance :

For the Petitioner/s	:	M/s Kumar Kaushal & Jay Prakash Sharma
For the State	:	Mr. Samir Kumar, AC to- Sc16
For the Board	:	Mr. S.S.Sundaram

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 30-11-2018 Heard learned Counsel for the petitioner and the learned Counsel for the respondent State.

The specific case of the petitioner is that the Managing Committee of Sri Krishna Sanskrit Madhyamik Vidyalaya Simra, District Muzaffarpur has appointed three persons at a meeting on 2.10.2014 during stay of the constitution of Managing Committee under order dated 4.9.2014 (Annexure 7).

Learned Counsel for the petitioner points out that subsequently vide order dated 23.02.2015 (Annexure 8) the authority of the Managing Committee has been found to be illegal from the date of its constitution on 28.1.2014. Still the Secretary, Sanskrit Shiksha Board has approved the



appointments done by the illegal Managing Committee.

From the records it is apparent that the petitioner has not even informed the said authority regarding such alleged illegality being committed by the Secretary, Bihar Sanskrit Shikha Board or by the Managing Committee. There is no demand or refusal by the authorities to necessitate exercise of jurisdiction under Article 226 of the Constitution of India in the instant case.

Counsel for the Board submits that the petitioner has alternative, efficacious and adequate remedy before the appellate authority i.e. Special Secretary (Secondary Education), Government of Bihar.

In view of the said submission and being faced with difficulty, Counsel for the petitioner submits that he will bring it to the notice of the appellate authority so that his grievance may be redressed.

In view of such submission the writ petition is disposed of.

(Madhuresh Prasad, J.)

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