

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5697 of 2017

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Ranjeeta Inter College Balram Sarai, Ghoshi Jehanabad through its
Secretary Arvind Kumar Verma Son of late Jhagru Prasad, Resident of
Village- Murali Hill, Police Station- Kotwali, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Education Department, Government of Bihar, Patna.
3. The District Magistrate, Jehanabad.
4. The District Education Officer, Jehanabad.
5. The Bihar School Examination Board, Patna through its Chairman, Patna.
6. The Chairman, Bihar School Examination Board, Patna.
7. The Secretary Senior Secondary School Examination Board, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : None.
For Board : Mr. Ajay, Advocate.
For the Respondent/s : AC to AAG-15

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

3 18-06-2018 The petitioner is aggrieved by the letter dated

21.10.2016 issued by the Bihar School Examination Board

(*hereinafter referred to as the 'Board'*), whereby the affiliation of

the institution has been cancelled.

A counter affidavit has been filed on behalf of the Bihar

School Examination Board justifying the action of cancellation of

affiliation. A plea has been taken on behalf of the Board that the

petitioner has statutory remedy of the appeal against the impugned

action under the Bihar School Examination Board (Amendment)



Act, 2011 and the Bihar School Examination Board Rule (Senior Secondary) Affiliation Regulation, 2011.

In view of the stand as taken, this application is dismissed on the ground that the petitioner has an alternative statutory remedy, without availing which, the petitioner has approached writ jurisdiction of this Court under Article 226 of the Constitution of India.

The petitioner shall, however, be at liberty to invoke the provision of appeal provided under the Act/Regulations. If any period of limitation is prescribed for preferring appeal, the concerned appellate authority shall be obliged to take into account the fact that the petitioner was pursuing his remedy before this court, for the relief as indicated above.

(Chakradhari Sharan Singh, J.)

Rakhi/Anjula

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