

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6842 of 2017

=====

1. Pradip Kumar Jha, Son of Surendra Kishore Jha, resident of Village-Laxmipur, P.S.- Bhargama, District- Araria, the headmaster of Shri Shila Nath Sanskrit Prathmik Sah Madhya Vidyalaya, Bhatgama Laxmipur, Block- Bhargama, District- Araria.

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar.
2. The Principal Secretary, Education, Education Department, Bihar, Patna.
3. The Special Director, Secondary Education, Education Department, Govt. of Bihar, Patna.
4. The Chairman, Bihar Sanskrit Shiksha Board, Patna.
5. The Secretary, Bihar Sanskrit Shiksha Board, Patna.
6. The District Magistrate, Araria.
7. The District Education Officer, Araria.
8. The Circle Officer, Bhargama, District- Araria.

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar
For the State : Mr. B.B. Prasad, AC to Sc13
For the BSEB : Mr. S.S. Sundram
Mr. Shashank Shekhar Jha

=====

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

4 18-06-2018

This application has been filed seeking direction to the respondent Bihar Sanskrit Shiksha Board, Patna for grant of recognition to Shri Shila Nath Sanskrit Prathmik Sah Madhya Vidyalaya, Bhatgama in the district of Araria.

It has been asserted that the Chairman of the Board has already recommended the said school for grant of the recognition but no final decision has been taken in this regard.

The Board has filed a counter affidavit stating



therein that the proposal for grant of recognition in respect of the present school was considered at the government level and after due consideration, the State Government came to a conclusion that the opinion of the District Magistrate was not available. The matter was, accordingly, sent back by the State Government by the Board with a request to obtain desired opinion from the concerned District Magistrate in accordance with the provisions of the *Bihar Arajkiya Sanskrit Vidyalaya (Praswikrit) Niyamawali, 1993 and Bihar Arajkiya Sanskrit Vidyalaya (Praswikrit) (Sansodhit) Niyamawali, 2013*. It has been further stated in the counter affidavit that repeated requests were made to the District Magistrate for sending his opinion, which could not be received by the Board. This Court, in that background, had directed the District Magistrate, Araria, by order dated 07.05.2018, to file affidavit dealing with the averments made in the counter affidavit filed by the Board. Accordingly, the District Magistrate, Araria has filed an affidavit. It has been stated, *inter alia*, that the District Magistrate inspected the School on 12.05.2018. Based on the said inspection, he has prepared a report and has sent his opinion to the Chairman of the Board. His report has been brought on record by way of Annexure-A to the counter affidavit filed on his behalf.

I do not intend to comment upon the said report



since final decision has to be taken by the Board in this regard.

Accordingly, this writ application is disposed of with a direction to the Board and the State of Bihar to take a final decision in respect of grant of recognition to the petitioner's school within two months from the date of receipt/production of a copy of this order.

The application stands disposed of.

(Chakradhari Sharan Singh, J.)

Rakhi

U			
---	--	--	--

