

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16194 of 2012

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1. Ranvir Prasad Yadav S/O Late Dasrath Prasad Yadav Resident Of Village- Bandhudih, P.O- Karanja, District- Banka.
 2. Anant Prasad Singh S/O Late Ram Kishor Mandal Resident Of Village & Post Udhadih, P.S- Sultanganj, District- Bhagalpur.
 3. Ravikant Mishra S/O Sri Basudeo Narayan Mishra Resident Of Village- Jawahr Nagar, Post- Shambhuganj, District- Banka.
 4. Ranjan Shyam S/O Shyam Narayan Singh Resident Of Village- Karanpur, Post- Shambhuganj, District- Banka.
 5. Rajesh Kumar Nirala S/O Sri Hiralal Sah Resident Of Shambhuganj, District- Banka.
 6. Vidya Sagar S/O Late Sidh Nath Mandal Resident Of Village- Nirpur, Post- Bariyarpur, District- Munger.
 7. Anil Kumar Singh S/O Late Ramdeo Prasad Singh Resident Of Village- Biraudha, P.O- Giridhara, District- Banka.
 8. Pramod Sharma S/O Sri Kailash Prasad Sharma Resident Of Village- Karsaul, P.O- Shambhuganj, District- Banka.

... .. Petitioner/S

Versus

1. The State Of Bihar, Through The Commissioner Cum Secretary, Education Department Cum Secretary, Education Department (higher Education Government Of Bihar, Patna
2. The Director, (higher Education), Education Departmen, Government Of Bihar, Patna.
3. The District Magistrate, Banka.
4. The Sub Divisional Officer Cum Chairman Of Ad- Hoc Committee, Ramdeo Asharif Degree College, Shambhuganj, Banka.
5. The Vice Chancellor, Tilka Manjhi Bhagalpur University, Bhagalpur.
6. The Registrar, Tilka Manjhi Bhagalpur, University, Bhagalpur.
7. The Principal, Ramdeo Asharfi, Degree, College, Shambhuganj, Banka.

... .. Respondent/S

Appearance :

For the Petitioner/s : Mr. Shashi Shekhar
For the Respondent/s : Mr. Nirbhay K.Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL JUDGMENT

Date : 17-09-2018

The present case has been listed on different dates for admission but unfortunately no one appeared on behalf of the petitioners to assist the court and as such in order to provide one



more opportunity to the petitioners, the case has been listed under the heading for “Dismissal” but even today no one has appeared on behalf of the petitioners to argue the case.

2. This writ petition was filed for a direction to the respondents to dispose of the representation dated 10.11.2009 and to act in accordance with direction issued by the Joint Secretary, Education Department dated 27.3.2012.

3. From the averment made in the writ petition, it appears that there is dispute between the petitioners and the governing body with regard to distribution of the fund allocated by the State Government under the Veet Raheet Shiksha Niti.

4. In view of the law laid down by the Apex Court in the case of **Sirsi Municipality vs. Cecelia Kom Francis Tellis: AIR 1973 SC 855 reiterated in Vaish Degree College Vs. Lakshmi Narain: AIR 1976 SC 888**, the writ petition against the Private Management Committee is not maintainable. The remedy is available to the petitioners by way of suit before appropriate civil court. In addition thereto, the petitioners have any other forum for redressal of their grievance in accordance with notification dated 15.5.2015 i.e. under Bihar Niyojeet Shiksha Sansthan Pradhikar

5. Under the aforesaid circumstance liberty shall be



available to the petitioners to approach either civil court or the Pradhikar for redressal of the grievance.

6. With the aforesaid, the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

Ravi/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	24.09.2018
Transmission Date	

