

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.23600 of 2018

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Bihar Vidyapeeth Uchh Madhyamik Vidyalay Sikhsa Nagar, Belchhi, Patna through its Secretary Arun Kumar Singh, son of Late Ramji Singh, resident of Village-Baghatilha, P.O.-Jodhanbigha, P.S.-Belchchi, District-Patna.

... .. Petitioner/s

Versus

1. The Bihar School Examination Board, Sinha Library Road, Patna through its Secretary.
2. The Chairman, Bihar School Examination Board, Sinha Library Road, Patna.
3. The Secretary, Bihar School Examination Board, Sinha Library Road, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Ajey Kumar
For the B.S.E.B.	:	Mr. Ajay Bihari Sinha
		Ms. Seema Ghazala

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 12-12-2018 The petitioner has put to challenge the letter dated 09.10.2018, issued by the Bihar School Examination Board (Annexure-12), whereby the affiliation earlier granted to the petitioner, has been withdrawn.

What is evident from the impugned communication is that it is based on the decision of the Statutory Committee of affiliation constituted under Section 10B of the Bihar School Examination Board, Act, 1952. Sub-Section 4 of Section 10B provides for appeal, if any person is dissatisfied with the decision of the Committee before the State Government.

Learned Counsel, appearing on behalf of the petitioner, submits that the decision of the Affiliation Committee



has not been made available to him and, therefore, he could not prefer appeal before the State Government.

Be that as it may, since the petitioner has a remedy of appeal under Section 10B of the Act, this application is disposed of with an observation that the petitioner shall be at liberty to prefer appeal, as prescribed under Section 10B(4) of the Bihar School Examination Board, Act, 1952, within 30 days from the date when the decision of the Affiliation Committee is supplied to him.

Let the decision of the Affiliation Committee be supplied to the petitioner within one week from today, if not already supplied. It is indicated that since the petitioner was pursuing his remedy before this Court by way of this writ application, his appeal, in any event, shall not be dismissed on the ground of limitation, if it is filed within 30 days from today. If such appeal is filed within 30 days from today, the Court expects expeditious disposal of the said appeal, preferably within three months from the date of such filing.

This disposes of the application.

(Chakradhari Sharan Singh, J)

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