

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20191 of 2014

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Smt. Chandra Prabha Pal Wife of Sri Ram Niwas Prasad, resident of village-
Khaspura, Police Station- Navbatpur, District- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Special Director, Secondary Education, Sanskrit, Government of Bihar, Patna
3. Bihar Sanskrit Shiksha Board, Patna through its Secretary, Boring Canal Road, Near Rajapur Pul, Patna
4. Chairman, Bihar Sanskrit Shiksha Board, Patna
5. Secretary, Bihar Sanskrit Shiksha Board, Patna
6. Kaushalya Sanskrit Uchch Vidyalay, Mahua, P.O.+P.S.- Mahua, District- Vaishali through its Managing Committee
7. Managing Committee of Kaushalya Sanskrit Uchch Vidyalay, Mahua, P.O. +P.S.- Mahua, District- Vaishali
8. Head Master, Kaushalya Sanskrit Uchch Vidyalay, Mahua, P.O.+P.S.- Mahua, District- Vaishali
9. Baikunth Bihari, Son of Late Balbhadra Sharma, resident of village- Pali, P.S.- Naubatpur, District- Patna

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Baidya Nath Thakur
For the BSSB	:	Mr. S.S. Sundram, Advocate
		Mr. Shashank Shekhar Jha, Advocate
For the State	:	Mr. Ravi Kumar, AC to AAG-13
For respondent no.9	:	Mr. Sushil Kumar Jha, Advocate

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

3 08-08-2018 Heard learned counsel for the petitioner and the

counsel appearing on behalf of the State as well as the Sanskrit

Shiksha Board and private respondent.

The only issue which requires consideration in the

present writ application is whether the Special Director has

jurisdiction to hear the appeal against the decision of the Board

as held out by this Court in C.W.J.C. No. 15594 of 2013.

The Special Director being the Member of the Board



is not competent to hear the appeal against the decision of the Board and as such the present writ application stands allowed. Annexure-7 is quashed. The matter is remitted back for decision afresh in accordance with law by the Special Secretary, Education Department who is now competent authority to hear and decide the appeal against the decision of the Sanskrit Shiksha Board.

The Court hope and trust that Special Secretary will decide the appeal expeditiously preferably within a period of four months from the date of receipt/production of a copy of this order.

With the aforesaid, the writ petition stands allowed and disposed of.

(Anil Kumar Upadhyay, J)

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