

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12216 of 2018

Amrendra Kumar S/o Birendra Singh Resident of Village -Dhanchhuha, P.S. -
Maharajganj, Dist. - Siwan (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Human Resource Development Department, Govt. of Bihar, Patna.
2. The Special Director, Sanskrit Education, Bihar, Patna.
3. The Chairman, Bihar Sanskrit Siksha Board, Patna.
4. The District Magistrate, Siwan.
5. The District Education Officer, Siwan.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Vijay Kumar Mishra
For the Respondent/s	:	Mr. Prabhat Ranjan Singh, AC to AAG-15
For the Board	:	Mr. Satyam Shivam Sundaram

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

5 06-08-2018 This application has been filed seeking direction to the respondents to allow the students of Nageshwar Singh, Virendra Singh, Sanskrit Primary Cum Middle High School Dhanchhuha in the district of Siwan, to participate in Madhyma Examination scheduled from 02.07.2018 to 05.07.2018. This is not in dispute that the school in question is not recognised and the matter of recognition, at the time of filing of the writ application, was pending before the Sanskrit Shiksha Board (hereinafter referred to as 'the Board').

A counter affidavit has been filed on behalf of the Board stating that based on report of the District Magistrate,



made available to the Bihar Sanskrit Shikhsa Board, dated 30.07.2018, the claim of the school for recognition has been rejected and communicated through Memo No. 2292 dated 02.08.2018 in exercise of power conferred under Section 11(4) of Bihar Sanskrit Shiksha Board Act, 1981.

Since the very application for grant of recognition of the school has been rejected by the said letter dated 02.08.2018, learned counsel appearing on behalf of the petitioner is seeking liberty to challenge the said decision of the Board by way of filing of separate writ application. Such liberty is granted.

In view of subsequent decision of the Board dated 02.08.2018, since no relief can be granted to the petitioner in the present proceeding, this proceedings stands closed.

There is yet another aspect of the matter. In course of the present proceeding, it was brought to the notice of the Court that Bihar Sanskrit Shiksha Board has not been duly constituted by the State Government. In that background, by order dated 16.07.2018, the Principal Secretary, Education Department, Government of Bihar, was directed to file an affidavit in respect of constitution of the Board under the Act. An affidavit has accordingly been filed by the Principal Secretary, Education Department, stating therein that constitution of the Board is



under active consideration at the highest level. It has been stated in paragraph 8 that process of constitution of the Board is likely to take some time. Six weeks time has been sought by the Principal Secretary for constitution of the Board.

The Court directs the State respondents to ensure that the Board is constituted within two months from today.

(Chakradhari Sharan Singh, J)

Pawan/Ragini

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