

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13111 of 2018

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Council of the Anjuman E. Ittehad Milli Chakand through its Secretary Shoaib Ahmad S/o Late Nizamuddin R/o behind of Adarsh Madhya Vidyalaya, Chakand Bazar, Chakand, Gaya - 804404.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Principal Secretary, Education Department, Government of Bihar, Patna.
3. Deputy Secretary, Education Department, Government of Bihar, Patna.
4. Director, Secondary, Education Department, Government of Bihar, Patna.
5. Chairman, Bihar School Examination Board (Senior Secondary), Budh Marg, Patna - 800001.
6. Secretary, Bihar School Examination Board (Senior Secondary), Budh Marg, Patna - 800001.
7. Divisional Commissioner, Magadh Division, Gaya.
8. District Education Officer, Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Anjum Perveen
For the Respondent/s	:	Mr. Smt. Shilpa Singh, GA-12
For the State	:	Mr. Sunil Kumar, AC to GA-12
For the BSEB	:	Ms. Binita Singh

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 23-08-2018 From the pleadings on record, it is evident that the dispute is between the private persons in respect of the constitution of Governing Body and Managing Committee of Azad High School, Chakand. The dispute of the nature as raised in the present writ application cannot be gone into in a proceeding under Article 226 of the Constitution of India.

It appears from the statement made in paragraph-15 of this writ application that the respondent no. 9 has filed a Title Suit, which is pending in the court of learned Munsif-III, Gaya,



for a declaration that the School was established by him.

There is another Title Suit also numbered as Title Suit No. 315/1992, which, according to the petitioner, has been filed by some unauthorized persons. I need not go into such aspects of the matter in the present proceeding, there being question of facts involved.

This application is, accordingly, disposed of with the observation that the petitioner shall have liberty to raise the dispute before appropriate forum, as found to be permissible in law.

(Chakradhari Sharan Singh, J)

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