

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.1431 of 2017
IN
Civil Writ Jurisdiction Case No. 418 of 2017**

- =====
1. The Bihar School Examination Board, its Secretary, the Bihar School Examination Board, Patna.
 2. The Secretary, the Bihar School Examination Board, Patna.
 3. The Chairman, The Bihar School Examination Board, Patna.
 4. The Affiliation Committee of Bihar School Examination Board, Patna, constituted under Rule 3 of the Bihar School Examination Board (Sr. Sec.) Affiliation Byelaws, 2013.

.... Respondents-Appellant/s

Versus

1. Asha Sinha Memorial Uchcha Madhyamik Vidyalaya, Dariyapur Barua, Sonepur, District Saran represented through its Principal Majay lal son of Shri Lakshman Singh, resident of Village-Kochas, P.O. + P.S. Kochas, District Rohtas.

.... Petitioner-Respondent Ist Set

2. The State of Bihar, through the Principal Secretary, Department of Education, Govt. of Bihar, Patna.
3. The Principal Secretary, Department of Education, Government of Bihar, Patna.
4. The Director, High Secondary Education, Government of Bihar, Patna.
5. The District Magistrate, Saran at Chapra.
6. The District Education Officer, Saran at Chapra.

.... Respondents-Respondents 2nd Set
with

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**Letters Patent Appeal No. 1433 of 2017
IN
Civil Writ Jurisdiction Case No. 166 of 2017**

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1. The Bihar School Examination Board through its Secretary, the Bihar School Examination Board, Patna.
 2. The Secretary, the Bihar School Examination Board, Patna.
 3. The Chairman, The Bihar School Examination Board, Patna.
 4. The Affiliation Committee of Bihar School Examination Board, Patna, constituted under Rule 3 of the Bihar School Examination Board (Sr. Sec.) Affiliation Byelaws, 2013.

.... Respondents-Appellant/s

Versus

1. Polhawan Singh Ramjyoti Devi Berijnandan Singh Sharda Devi Uchhtar Madhyamik Vidyalaya, Nayaka Barka Baiju Tola, Rivilganj, District-Saran at Chapra represented through its Principal, Santosh Kumar Singh, S/o Shri Brijnandan Singh, resident of Village – Gondna More, Gautam Asthan P.O. + P.S. Rivilganj, District Saran at Chapra.

.... Petitioner-Respondent Ist Set

2. The State of Bihar, through the Principal Secretary, Department of Education, Govt. of Bihar, Patna.
3. The Principal Secretary, Department of Education, Government of Bihar, Patna.



4. The Director, High Secondary Education, Government of Bihar, Patna.
5. The District Magistrate, Saran at Chapra.
6. The District Education Officer, Saran at Chapra.

....Respondents-Respondents 2nd Set
with

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Letters Patent Appeal No. 1434 of 2017
IN
Civil Writ Jurisdiction Case No. 5685 of 2017

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1. The Bihar School Examination Board through its Chairman, Patna.
2. The Chairman, The Bihar School Examination Board, Patna.
3. The Secretary, the Bihar School Examination Board, Patna.

.... Respondents-Appellant/s

Versus

1. Bindeshwar Prasad Memorial Senior Secondary School, Maranchi, Paraiyya, Gaya through its teacher Akash Dayal son of Sunil Kumar, Village – Maranchi, P.S. Paraiyya, District Gaya.

.... Petitioner-Respondent Ist Set

2. The State of Bihar, through the Principal Secretary, Education Department, Government of Bihar, Patna.
3. The Principal Secretary, Education Department, Government of Bihar, Patna.
4. The District Magistrate, Gaya.
5. The Additional Collector, Gaya.
6. The District Education Officer, Gaya.

....Respondents-Respondents 2nd Set
with

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Letters Patent Appeal No. 1432 of 2017
IN
Civil Writ Jurisdiction Case No. 1364 of 2017

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

.... Respondents-Appellant/s

Versus

1. Mahamaya Prajapati Gautami Mahila U.M. Vidyalaya, Bodh Gaya through its Principal cum Secretary, Dr. Markandey Pandey, s/o Late Ramchandra Pandey, R/o Moh Ambedkar Nagar, behind Bhojpur Tranformer factory, Police line road, P.O. & P.S. Rampur, District Gaya.

.... Petitioner-Respondent Ist Set

2. The State of Bihar, through the Principal Secretary, Education Department, Government of Bihar, Patna.
3. The Principal Secretary, Education Department, Government of Bihar, Patna.
4. The District Magistrate, Gaya.
5. The Additional Collector, Gaya.
6. The District Education Officer, Gaya.

....Respondents-Respondents 2nd Set
with



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Letters Patent Appeal No. 1435 of 2017
IN
Civil Writ Jurisdiction Case No. 1024 of 2017

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

.... Respondents-Appellant/s

Versus

1. S.M.P. Uchach Madhyamik School, Fatehpur, Gaya through its Secretary Rakesh Kumar s/o Mahadeo Prasad, r/o Vill. Khree, P.O. Jethion, P.S. Atari, District Gaya.
- Petitioner-Respondent Ist Set
2. The State of Bihar, through the Principal Secretary, Education Department, Government of Bihar, Patna.
3. The Principal Secretary, Education Department, Government of Bihar, Patna.
4. The District Magistrate, Gaya.
5. The Additional Collector, Gaya.
6. The District Education Officer, Gaya.

.... Respondents-Respondents 2nd Set

with

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Letters Patent Appeal No. 1436 of 2017
IN
Civil Writ Jurisdiction Case No. 467 of 2017

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

.... Respondents-Appellant/s

Versus

1. Ideal Public Senior Secondary School, Manppur, District-Gaya through its Secretary Ajay Kumar son of Mohan Prasad. Resident of Village Mastalipur, P.O. Bara Gandhar, P.S. Muffasil, District Gaya.
- Petitioner-Respondent Ist Set
2. The State of Bihar, through the Principal Secretary, Education Department, Government of Bihar, Patna.
3. The Principal Secretary, Education Department, Government of Bihar, Patna.
4. The District Magistrate, Gaya.
5. The Additional Collector, Gaya.
6. The District Education Officer, Gaya.

.... Respondents-Respondents 2nd Set

with

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Letters Patent Appeal No. 1437 of 2017
IN
Civil Writ Jurisdiction Case No. 4 of 2017

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1. The Bihar School Examination Board, Patna through its Secretary, the Bihar School Examination Board, Patna.
 2. The Secretary, the Bihar School Examination Board, Patna.
 3. The Chairman, the Bihar School Examination Board, Patna.
 4. The Affiliation Committee of Bihar School Examination Board, Patna, constituted under Rule 3 of the Bihar School Examination Board (Sr. Sec.), Affiliation Bylaws, 2013.

.... Appellant/s

Versus

1. Haroon Memorial Senior Secondary (Uchhtar) School, Sansaraiya, Nautan, District - West Champaran represented through its Secretary, Roohul Amin Khan S/o - Late Md. Haroon Khan resident of village + P.O. - Sansaraiya, P.S. - Muffasil Bettiah, District - West Champaran.
2. The State of Bihar through the Principal Secretary, Department of Education, Govt. of Bihar, Patna.
3. The Principal Secretary, Department of Education, Govt. of Bihar, Patna.
4. The Director, Higher Secondary Education, Govt. of Bihar, Patna.
5. The District Magistrate, West Champaran.
6. The District Education Officer, West Champaran, Bettiah.

.... Respondent/s

with

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Letters Patent Appeal No. 1439 of 2017
IN
Civil Writ Jurisdiction Case No. 3270 of 2017

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1. The Bihar School Examination Board (Senior Secondary), Buddha Marg, Patna through its Secretary.
2. The Chairman, Bihar School Examination Board (Senior Secondary), Buddha Marg, Patna.
3. The Secretary, Bihar School Examination Board (Senior Secondary), Buddha Marg, Patna.

.... Appellant/s

Versus

1. Nandlal Singh Uchhatar Madhyamik Vidhyalaya Shikraul Lakh, Dafa Dehri, Buxar through its President Dharmendra Kumar Singh, Son of Late Nandlal Singh, Resident of Village Dafa Dehri, P.O.- Shikraul, Lakh, District- Buxar (Bihar).
2. The State of Bihar.
3. The Principal Secretary, Education Department, Government of Bihar, Patna.
4. The Director, Secondary Education, Government of Bihar, Patna.
5. The District Education Officer, Buxar.

.... Respondent/s

with

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Letters Patent Appeal No. 1440 of 2017



IN
Civil Writ Jurisdiction Case No. 390 of 2017

- =====
1. The Bihar School Examination Board, Patna through its Secretary, the Bihar School Examination Board, Patna
 2. The Secretary, the Bihar School Examination Board, Patna
 3. The Chairman, Bihar School Examination Board, Patna.
 4. The Affiliation Committee of Bihar School Examination Board, Patna , Constituted Under Rule 3 of the Bihar School Examination Board (Sr. Sec.) Affiliation Bylaws, 2013

.... Appellant/s

Versus

1. Janardan Uchhtar Madhyamik (+2) Vidyalaya, Narkariyagan, District-West Champaran represented through its Secretary, Pramod Kumar Choubey, S/o-Late Janak Choubey, Resident of Village-Banu Chhapar, Deo Nagar, P.O. + P.S.- Bettiah, District-West Champaran, Permanent resident of Village-Sathi (Semari), P.O. + P.S.-Sathi, District-West Champaran
2. The State of Bihar through the Principal Secretary, Education Department, Govt. of Bihar, Patna
3. The Principal Secretary, Department of Education, Govt. of Bihar, Patna
4. The Director, Higher Secondary Education, Govt. of Bihar, Patna
5. The District Magistrate, West Champaran. null null
6. The District Education Officer, West Champaran, Bettiah.

.... Respondent/s

with

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Letters Patent Appeal No. 1441 of 2017
IN
Civil Writ Jurisdiction Case No. 2474 of 2017

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1. The Bihar School Examination Board (Senior Secondary), Buddha Marg, Patna through its Secretary.
2. The Chairman, Bihar School Examintion Board (Senior Secondary), Buddha Marg, Patna.
3. The Secretary, Bihar School Examination Board (Senior Secondary), Buddha Marg, Patna.

.... Appellant/s

Versus

1. B. D. +2 Uchhatar Madhyamik Vidhyalaya Kukudha Road, Bijhoura, Buxar through its Principal Devendra Kumar Singh, Son of Shri Harihar Singh, Resident of Village + P.O.- Pandetpatti, P.S.- Muffasil, District- Buxar (Bihar).
2. The State of Bihar.
3. The Principal Secretary, Education Department, Government of Bihar, Patna.
4. The Director, Secondary Education, Government of Bihar, Patna.
5. The District Education Officer, Buxar.

.... Respondent/s

with



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Letters Patent Appeal No. 1758 of 2017
IN
Civil Writ Jurisdiction Case No. 6335 of 2017

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

.... Appellant/s

Versus

1. Jagdishwar Nath Daftuaar U. M. V. AMAS, GAYA, through Its Principal Archana Kumari, D/o Ramnandan Singh, R/o- Wajitchak, P.O.- Paonkala, P.S.- Gurue, District- Gaya.
2. The State of Bihar, through the Principal Secretary, Education Department, Government of Bihar, Patna.
3. The Principal Secretary, Education Department, Government of Bihar, Patna.
4. The District Magistrate, Gaya.
5. The Additional Collector, Gaya.
6. The District Education Officer, Gaya.

.... Respondent/s

with

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Letters Patent Appeal No. 1761 of 2017
IN
Civil Writ Jurisdiction Case No. 7635 of 2017

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1. The Bihar School Examination Board (Senior Secondary), Buddha Marg, Patna through its Secretary.
2. The Chairman, Bihar School Examination Board (Senior Secondary), Buddha Marg, Patna.
3. The Secretary, Bihar School Examination Board (Senior Secondary), Buddha Marg, Patna.

.... Appellant/s

Versus

1. Md. Saif Uchhatar Madhyamik Vidhyalaya, Bikramganj, Rohtas through its Principal Sabina Praveen Daughter of Late Sahwaj Taraj Khan, Resident of Village+ P.O.- Bikramganj, Rohtas at Sasaram (Bihar).
2. The State of Bihar.
3. The Principal Secretary, Education Department, Government of Bihar, Patna.
4. The Director, Secondary Education, Government of Bihar, Patna.
5. The District Education Officer, Rohtas.

.... Respondent/s

with

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Letters Patent Appeal No. 1760 of 2017



IN
Civil Writ Jurisdiction Case No. 8276 of 2017

- =====
1. The Bihar School Examination Board, Buddha Marg, Patna through its Chairman.
 2. The Chairman, Bihar School Examination Board through its Secretary, Buddha Marg, Patna.
 3. The Secretary, Bihar School Examination Board, through its Secretary, Buddha Marg, Patna.

.... Respondents-Appellant/s

Versus

1. Yogendra Singh Vasmati Higher Secondary (+2) School through its Secretary Devanand Prasad Singh, S/o Late Yogendra Singh, R/v+Post-Bedaulia, P.S. – Jandaha, District – Vaishali.

.... Petitioner-Respondent Ist Set

2. The State of Bihar.
3. The Principal Secretary, Education Department, Government of Bihar, Patna.
4. The Director, Higher Secondary Education, Government of Bihar, Patna.
5. The District Education Officer, Aurangabad.

.... Respondents-Respondents 2nd Set

with

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Letters Patent Appeal No. 1756 of 2017

IN

Civil Writ Jurisdiction Case No. 7885 of 2017

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

.... Appellant/s

Versus

1. Surendra Narayan Uchh Madhyamik +2 School Narayan Nagar Kharkhura Nawada, Gaya, through its Secretary Surendra Kumar, Son of Narayan Prasad, R/o Sagarapur, P.S.- Makhadumapur, District- Jahanabad.
2. The State of Bihar, through the Principal Secretary, Education Department, Govt. of Bihar, Patna.
3. The Principal Secretary, Education Department, Government of Bihar, Patna.
4. The District Magistrate, Gaya,
5. The Additional Collector , Gaya.
6. The District Education Officer, Gaya.

.... Respondent/s

with

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Letters Patent Appeal No. 1767 of 2017

IN

Civil Writ Jurisdiction Case No. 5489 of 2017

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- 1. The Bihar School Examination Board, (BSEB (Senior Secondary), Buddha Marg, Patna through its Secretary.
- 2. The Secretary, Bihar School Examination Board, BSEB (Senior Secondary), Patna.

.... Appellant/s

Versus

- 1. Mahendra Manki Shankar Senior Secondary School (M.M.S.(S.S.)), Baihari, Sinheshwar, Madhepura-852128 through its Principal Sri Yog Narayan Rai.
- 2. The State of Bihar.
- 3. The Principal Secretary, Department, of Education, Government of Bihar, Patna.
- 4. The Director, Secondary Education, Government of BIhar, Patna.
- 5. The District Development Commissioner (D.D.C.) Madhepura,
- 6. District Panchayati Raj Officer, Madhepura.
- 7. Sub-Divisional Police Officer, Madhepura.
- 8. The District Education Officer, Madhepura,
- 9. Administrative Officer, Department of Education, Patna.

.... Respondent/s

with

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Letters Patent Appeal No. 1766 of 2017
IN
Civil Writ Jurisdiction Case No. 9391 of 2017

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- 1. The Bihar School Examination Board , (Hihger Secondary), through the Chairman, Buddh Marg, Patna.
- 2. The Chairman, Bihar School Examination Board (Higher Secondary), Buddha Marg, Patna.
- 3. The Secretary, Bihar School Examination Board (Higher Secondary), Buddha Marg, Patna.

.... Appellant/s

Versus

- 1. Mrs Rita Kumari, W/o Birendra Kumar Singh Presently working as Principal-Cum-Secretary, Hriday Prasad Munshi Lal Higher Secondary (+2) School, Lalganj, District- Vaishali.
- 2. The State of Bihar through the Principal Secretary, Department of Education, Government of Bihar, District- Patna.
- 3. The Principal Secretary, Department of Education, Government of Bhar, Vikas Bhawan, District- Patna.
- 4. The Director, Secondary Education, Department of Education, Vikas Bhawan, Government of Bihar, District- Patna.
- 5. The District Education Officer, Munger, District- Vaishali.

.... Respondent/s

with

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Letters Patent Appeal No. 1765 of 2017
IN



Civil Writ Jurisdiction Case No. 8702 of 2017

- =====
1. The Bihar School Examination Board, Patna through its Chairman.
 2. The Chairman, Bihar School Examination Board, Patna.
 3. The Secretary, Bihar School Examination Board, Patna.

.... Appellant/s

Versus

1. Bhikhar Ray Balika Uchhatar Madhyamik Vidyalay, Patepur (Vaishali) through the Chairman of the Managing Committee, namely Bhikhar Ray aged about 70 years Son of Late Ram Dev Ray, Resident of Village - Basti Khowajpur, P.O. - Pastara, P.S. - Baligaon, District - Vaishali.
2. The State of Bihar through the Principal Secretary, Department of Education (Secondary), New Secretariat, Patna.
3. The Principal Secretary, Department of Education (Secondary), New Secretariat, Patna.
4. The District Magistrate, Vaishali.
5. The District Education Officer, Vaishali.
6. The Enquiry Committee through its Chairman.

.... Respondent/s

with

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Letters Patent Appeal No. 1774 of 2017

IN

Civil Writ Jurisdiction Case No. 6344 of 2017

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

.... Respondents-Appellant/s

Versus

1. Gautam Budha (+2) U.M. Vidhyalaya, Khizarsarai District Gaya through its Principal, Ravi Sankar son of Mahendra Kumar Sinha, Moh – Gewal Bigha, P.S. Rampur, District Gaya.
2. The State of Bihar, through the Principal Secretary, Education Department, Government of Bihar, Patna.
3. The Principal Secretary, Education Department, Government of Bihar, Patna.
4. The District Magistrate, Gaya.
5. The Additional Collector, Gaya.
6. The District Education Officer, Gaya.

.... Petitioner-Respondent Ist Set

.... Respondents-Respondents 2nd Set

with

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Letters Patent Appeal No. 1775 of 2017

IN

Civil Writ Jurisdiction Case No. 6404 of 2017

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1. The Bihar School Examination Board, Patna through its Chairman, Patna.

2. The Chairman, Bihar School Examination Board, Patna.

3. The Secretary, Bihar School Examination Board, Patna.

.... Respondents-Appellant/s

Versus

1. Anjali, (+2) U.M. Vidhyala, Bypass road, Kajichak, District – Gaya through its Vice Principal Arun Kumar Tiwary son of Shalik Ram Tiwary, R/o & P.O. Kendui Near I.T.I., P.S. M. Medical College, District - Gaya.

.... Petitioner-Respondent Ist Set

2. The State of Bihar, through the Principal Secretary, Education Department, Government of Bihar, Patna.

3. The Principal Secretary, Education Department, Government of Bihar, Patna.

4. The District Magistrate, Gaya.

5. The Additional Collector, Gaya.

6. The District Education Officer, Gaya.

....Respondents-Respondents 2nd Set

with

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Letters Patent Appeal No. 1776 of 2017

IN

Civil Writ Jurisdiction Case No. 6892 of 2017

=====

1. The Bihar School Examination Board, Patna through its Chairman, Patna.

2. The Chairman, Bihar School Examination Board, Patna.

3. The Secretary, Bihar School Examination Board, Patna.

.... Respondents-Appellant/s

Versus

1. Mahadeo Memorial U.M.V., Bhare, Rajabigha, Fatehpur, District Gaya through its Principal Kamlesh s/o Naresh Sharma, R/o Bhare Rajabigha, P.S. & P.O. Fatehpur, District Gaya.

.... Petitioner-Respondent Ist Set

2. The State of Bihar, through the Principal Secretary, Education Department, Government of Bihar, Patna.

3. The Principal Secretary, Education Department, Government of Bihar, Patna.

4. The District Magistrate, Gaya.

5. The Additional Collector, Gaya.

6. The District Education Officer, Gaya.

....Respondents-Respondents 2nd Set

with

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Letters Patent Appeal No. 1772 of 2017

IN

Civil Writ Jurisdiction Case No. 6828 of 2017

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1. The Bihar School Examination Board, Patna through its Chairman, Patna.

2. The Chairman, Bihar School Examination Board, Patna.

3. The Secretary, Bihar School Examination Board, Patna.

.... Appellant/s



Versus

- 1. Mithilesh Paswan U. M. V., Gurua, District- Gaya through its Principal Prithviraj Kumar S/o Kaliram, Resident of Village- Chaurhar, P.O.- Civil Aerodrome, P.S.- Magadh Medical, District- Gaya.
- 2. The State of Bihar, through the Principal Secretary, Education Department, Government of Bihar, Patna.
- 3. The Principal Secretary, Education Department, Government of Bihar, Patna.
- 4. The District Magistrate, Gaya.
- 5. The Additional Collector, Gaya.
- 6. The District Education Officer, Gaya.

.... Respondent/s

with

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Letters Patent Appeal No. 1768 of 2017

IN

Civil Writ Jurisdiction Case No. 6912 of 2017

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- 1. The Bihar School Examination Board, Patna through its Chairman, Patna.
- 2. The Chairman, Bihar School Examination Board, Patna.
- 3. The Secretary, Bihar School Examination Board, Patna.

.... Appellant/s

Versus

- 1. Gopal Prasad Yadav Uchach Madhyamik Vidyalaya near Magadh Medical College, Gaya through its President, Dharm Prakash S/o Sri Gopal Prasad Yadav R/o Chiraiyatar, P.O. & P.S. - Rampur, District - Gaya.
- 2. The State of Bihar through the Principal Secretary, Education Department, Government of Bihar, Patna.
- 3. The Principal Secretary, Education Department, Government of Bihar, Patna.
- 4. The District Magistrate, Gaya.
- 5. The Additional Collector, Gaya.
- 6. The District Education Officer, Gaya.

.... Respondent/s

with

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Letters Patent Appeal No. 1773 of 2017

IN

Civil Writ Jurisdiction Case No. 6871 of 2017

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- 1. The Bihar School Examination Board, Patna through its Chairman, Patna.
- 2. The Chairman, Bihar School Examination Board, Patna.
- 3. The Secretary, Bihar School Examination Board, Patna.

.... Respondents-Appellant/s

Versus

- 1. Sitaram Yadav Uch Madhyamik School, J.P. Nagar, Bodh Gaya, District – Gaya, through its Principal Rajesh Kumar S/o Bindeshwar Yadav, Village – Ira, P.O. & P.S. Cherki, District - Gaya.

.... Petitioner-Respondent Ist Set



2. The State of Bihar, through the Principal Secretary, Education Department, Government of Bihar, Patna.
3. The Principal Secretary, Education Department, Government of Bihar, Patna.
4. The District Magistrate, Gaya.
5. The Additional Collector, Gaya.
6. The District Education Officer, Gaya.

.... Respondents-Respondents 2nd Set
with

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Letters Patent Appeal No. 1770 of 2017
IN
Civil Writ Jurisdiction Case No. 6894 of 2017

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

.... Appellant/s

Versus

1. Dr. Sudheshwar Singh Memorial Uchh Vidhyalaya, Gaya through its President Jawal Singh, Resident of Quator Number M-78, H.B. Colony, Near Aasha Singh More, Gaya, P.O. & P.S.- Rampur, District- Gaya (Bihar)- 823001.
2. The State of Bihar, through the Principal Secretary, Education Department, Government of Bihar, Patna.
3. The Principal Secretary, Education Department, Government of Bihar, Patna.
4. The District Magistrate, Gaya.
5. The Additional Collector, Gaya.
6. The District Education Officer, Gaya.

.... Respondent/s

with

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Letters Patent Appeal No. 1445 of 2017
IN
Civil Writ Jurisdiction Case No. 4744 of 2017

=====

1. The Bihar School Examination Board (Senior Secondary), Buddha Marg, Patna through its Secretary.
2. The Chairman, Bihar School Examination Board (Senior Secondary), Buddha Marg, Patna.
3. The Secretary, Bihar School Examination Board (Senior Secondary), Buddha Marg, Patna.

.... Appellant/s

Versus

1. Kanya Uchhatar Madhyamik Vidhyalaya, Naya Bazar, Buxar through its Principal Janardan Singh Son of Late Nanak Singh, Resident of Village- Thora, P.O.- Cental Jail Buxar, P.S.- Buxar Muffasil, District- Buxar (Bihar).
2. The State of Bihar
3. The Principal Secretary, Education Department, Government of Bihar, Patna.



- 4. The Director, Secondary Education, Government of Bihar, Patna.
- 5. The District Education Officer, Buxar.

.... Respondent/s
with

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Letters Patent Appeal No. 1593 of 2017
IN
Civil Writ Jurisdiction Case No. 789 of 2017

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- 1. The Bihar School Examination Board, Patna through its Chairman, Patna
- 2. The Chairman, Bihar School Examination Board patna
- 3. The Secretary, Bihar School Examination Board, Patna

.... Appellant/s
Versus

- 1. Santosh Uchh Madhyamik (+2) School, Guraru, District-gaya through its Principal Santosh Kumar S/o Indradeo Yadav Village & P.O.-Digghi, P.S.-Konch, District-gaya
- 2. The State of Bihar, through the Principal Secretary, Education Department, Government of Bihar, patna
- 3. The Principal Secretary, Education Department, Government of BIhar, patna
- 4. The District Magistrate, Gaya
- 5. The District Education Officer,gaya

.... Respondent/s
with

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Letters Patent Appeal No. 1764 of 2017
IN
Civil Writ Jurisdiction Case No. 8086 of 2017

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- 1. The Bihar School Examination Board, Patna through its Chairman, Patna.
- 2. The Chairman, Bihar School Examination Board, Patna.
- 3. The Secretary, Bihar School Examination Board, Patna.

.... Appellant/s
Versus

- 1. Manjoor Alam Uchh Madhyamik Vidhyalya Aanti Konch, Gaya through its Principal Sunil Kumar Sinh Son of Siddha Nath Sinh, R/o Santhua, P.S.-Rafiganj, District-Aurangabad.-824125
- 2. The State of Bihar, through the Principal Secretary, Education Department, Government of Bihar, Patna.
- 3. The Principal, Secretary, Education Department, Government of Bihar, Patna.
- 4. The District Magistrate, Gaya.
- 5. The Additional Collector, Gaya.
- 6. The District Education Officer, Gaya.

.... Respondent/s
with



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Letters Patent Appeal No. 1763 of 2017
IN
Civil Writ Jurisdiction Case No. 7238 of 2017

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1. The Bihar School Examination Board, Patna through its Secretary, the Bihar School Examination Board, Patna.
2. The Secretary, The Bihar School Examination Board, Patna.
3. The Chairman, Bihar School Examination Board, Patna.
4. The Affiliation Committee of Bihar School Examination Board, Patna, constituted under Rule 3 of the Bihar School Examination Board (Sr.Sec.) Affiliation Bylaws, 2013.

.... Appellant/s

Versus

1. Bindu Singh Kanya Uchhtar Madhyamik (10+2) Vidyalaya, Muzaffarpur Malahi, District- Vaishali represented through its Secretary, Vikram Kumar Singh, S/o Shri Veer Narayan Singh, resident of Village- Muzaffarpur Malahi, P.O.- Hansikewal P.S.- Bhagwanpur, District- Vaishali.
2. The State of Bihar through the Principal Secretary, Department of Education, Govt. of Bihar, Patna.
3. The Principal Secretary, Department of Education, Govt. of Bihar, Patna.
4. The Director, Higher Secondary Education, Govt. of Bihar, Patna.
5. The District Magistrate, Vaishali.
6. The District Education Officer, Vaishali.

.... Respondent/s

with

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Letters Patent Appeal No. 138 of 2018
IN
Civil Writ Jurisdiction Case No. 9932 of 2017

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1. The Bihar School Examination Board, Patna through its Secretary.
2. The Chairman, the Bihar School Examination Board, Patna.
3. The Affiliation Committee of Bihar School Examination Board, Patna, constituted under Rule 3 of the Bihar School Examination Board (Sr. Sec.) Affiliation Bylaws, 2013.

.... Appellant/s

Versus

1. Jagdeo Singh Ramchandra Vindhya Wasini Uchcha Madhyamik Vidyalaya, Mishrauliya, Afjalpur, Block- Patedhi Belsar, District- Vaishali represented through its Chairman of Managing Committee, Kumud Ranjan, S/o- Shri Kaleshwar Singh, Resident of Village- Kishunpur Belaur, P.S.- Kurhani, District- Muzaffarpur.
2. The State of Bihar through the Principal Secretary, Department of Education, Govt. of Bihar, Patna.
3. The Principal Secretary, Department of Education, Govt. of Bihar, Patna.
4. The Director, Higher Secondary Education, Govt. of Bihar, Patna.
5. The District Magistrate, Muzaffarpur.



6. The District Education Officer, Muzaffarpur.

.... Respondent/s

with

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Letters Patent Appeal No. 139 of 2018
IN
Civil Writ Jurisdiction Case No. 8675 of 2017

=====

- 1. The Bihar School Examination Board (Senior Secondary), Buddha Marg, Patna
- 2. The Chairman, Bihar School Examination Board, (Senior Secondary), Buddha Marg, Patna through its Secretary.
- 3. The Secretary, Bihar School Examination Board, (Senior Secondary) Budha Marg, Patna

.... Appellant/s

Versus

- 1. Dr. Gupteshwar Prasad Singh Nand Kishore Narayan Singh Memorial Inter College, Chandragarh, Aurangabad through its Secretary Pankaj Kumar Singh Son of Gaureshwar Narayan Singh, Resident of At + P.O.-Chandragarh, P.s.-Nabinagar, District-Aurangabad (Bihar).
- 2. The State of Bihar.
- 3. The Principal Secretary, Education Department, Government of BIhar, Patna.
- 4. The Director, Secondary Education, Government of BIhar, Patna.
- 5. The District Education, Officer, Aurangabad.

.... Respondent/s

with

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Letters Patent Appeal No. 140 of 2018
IN
Civil Writ Jurisdiction Case No. 18737 of 2016

=====

- 1. Bihar School Examination Board (BSEB), (Higher Education), Buddha Marg, Patna through its Secretary.

.... Appellant/s

Versus

- 1. Udayanacharya Vidyakar Kavi (UVK) Inter College, Karama, Alam Nagar, Udakishunganj, Madhepura through its Academic Officer Shamsheer Singh.
- 2. The State of Bihar.
- 3. The Principal Secretary, Department of Education, Government of Bihar, Patna.
- 4. Director, Secondary Education, Government of Bihar, Patna.
- 5. The District Education Officer, Madhepura.
- 6. District Programme Officer (Secondary Education), Madhepura.

.... Respondent/s

with

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Letters Patent Appeal No. 141 of 2018
IN
Civil Writ Jurisdiction Case No. 4654 of 2017

- =====
1. The Chairman, Bihar School Examination Board, Budh Marg, Patna.
 2. The Secretary, Bihar School Examination Board, Budh Marg, Patna. (Bihar Intermediate Education Counsel now vested in Bihar School Examination Board, Patna).

.... Appellant/s

Versus

1. Shri Thakur Lakshmi Narayan Inter College, Lohra, Barahiya, Lakhisarai through its Principal-cum-Secretary namely Aditya Kumar Singh, Son of Sri Khajo Singh @ Siyaram Singh, resident of Village- Lohara, P.S.- Barahiya, District- Lakhisarai.
2. The State of Bihar.
3. The Director (Secondary), Education Department, Government of Bihar, Patna.
4. The District Education Officer, Lakhisarai, District- Lakhisarai.

.... Respondent/s

with

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Letters Patent Appeal No. 1762 of 2017
IN
Civil Writ Jurisdiction Case No. 6927 of 2017

=====

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

.... Appellant/s

Versus

1. Om Shanti Uachh Mahavidhyalya, Ganeshchowk, Itama, Mohanpur, District Gaya through its Secretary Anil Kumar, S/o Sahdeo Yadav, R/o Village- Ganesh Chowk, P.S.- Itama, District- Gaya.
2. The State of Bihar, through the Principal Secretary, Education Department, Government of Bihar, Patna.
3. The Principal Secretary, Education Department, Government of Bihar, Patna.
4. The District Magistrate, Gaya.
5. The Additional Collector, Gaya.
6. The District Education Officer, Gaya.

.... Respondent/s

with

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Letters Patent Appeal No. 1455 of 2017
IN
Civil Writ Jurisdiction Case No. 20312 of 2016

=====

1. Bihar School Examination Board (Senior Secondary), Buddha Marg, Patna



through its Secretary.

.... Appellant/s

Versus

- 1. Subhash Senior Secondary School Moratalab, Sohsarai, Biharsharif, District - Nalanda through Suraj Bhatt, Principal-cum-Secretary.
- 2. The State of Bihar.
- 3. The Principal Secretary, Department of Education, Government of Bihar, Patna.
- 4. Director, Secondary Education, Government of Bihar, Patna.
- 5. District Education Officer, Nalanda.

.... Respondent/s

with

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Letters Patent Appeal No. 1456 of 2017

IN

Civil Writ Jurisdiction Case No. 16941 of 2016

=====

- 1. The Bihar School Examination Board (Higher Secondary), Patna through its Chairman, Patna.
- 2. The Chairman, Bihar School Examination Board, Patna.
- 3. The Secretary, Bihar School Examination Board, Patna.

.... Appellant/s

Versus

- 1. Ram Nath Rear Trust, Lakhisarai, At- Lakhisarai, P.S.- Lakhisarai, District- Lakhisarai through its President Ram Balak Prasad Singh.
- 2. The State of Bihar through Chief Secretary, Government of Bihar, Patna.
- 3. The Principal Secretary, Education Department, Government of Bihar, Patna.
- 4. The District Magistrate, Lakhisarai.
- 5. The Superintendent of Police, Lakhisarai.

.... Respondent/s

with

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Letters Patent Appeal No. 1392 of 2017

IN

Civil Writ Jurisdiction Case No. 1948 of 2017

=====

- 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.

.... Appellant/s

Versus

- 1. Trimurti Inter College, Ismailpur, Nisarpura, Via - Punpun, Patna, through its Secretary Surendra Singh, son of Ram Sevak Singh, resident of F/139, P.C. Colony Kankarbag, P.S.- Kankarbag, District- Patna.
- 2. Surendra Singh, son of Ram Sevak Singh resident of F/139, P.C. Colony



Kankarbagh, P.S.- Kankarbag, District- Patna.

..... Respondent/s
with

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Letters Patent Appeal No. 1443 of 2017
IN
Civil Writ Jurisdiction Case No. 594 of 2017

=====

- 1. The Bihar School Examination Board, through its Chairman, Patna.
- 2. The Chairman, Bihar School Examination Board, Patna.
- 3. The Secretary, Bihar School Examination Board, Bihar, Patna.

..... Appellant/s
Versus

- 1. Sanjay Singh Yadav Uachh Mahavidhyalya (+2) School ,Rafiganj, Aurangabad through its President Sanjay Singh Yadav S/o Shri Sheoratan Singh P.S. Rafiganj, Aurangabad.
- 2. The State of Bihar, through the Principal Secretary, Education Department, Government of Bihar, Patna.
- 3. The District Magistrate, Gaya.
- 4. The Additional Collector, Gaya.
- 5. The District Education Officer, Gaya.

..... Respondent/s
with

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Letters Patent Appeal No. 1442 of 2017
IN
Civil Writ Jurisdiction Case No. 104 of 2017

=====

- 1. The Bihar School Examination Board, Patna through its Secretary, the Bihar School Examination Board, Patna.
- 2. The Secretary, the Bihar School Examination Board, Patna.
- 3. The Chairman, the Bihar School Examination Board, Patna.
- 4. The Affiliation Committee of Bihar School Examination Board, Patna, constituted under Rule 3 of the Bihar School Examination Board (Sr. Sec.), Affiliation Byelaws, 2013.

..... Appellant/s
Versus

- 1. Indu Devi Memorial Senior Secondary School, Maldahiya, Narkatiyaganj, District - West Champaran represented through its Principal, Mritunjay Kumar S/o - Shri Arbind Kumar Verma resident of village - Maldahiya, P.O. - Narkatiyaganj, P.S. - Sikarpur, District - West Champaran, Secretary of INDU DEV MEMORIAL SENIOR SECONDARY SCHOOL, Maldahiya, Narkatiyaganj, District - West Champaran.
- 2. The State of Bihar through the Principal Secretary, Department of Education, Govt. of Bihar, Patna.
- 3. The Principal Secretary, Department of Education, Govt. of Bihar, Patna.



- 4. The Director, Higher Secondary Education, Govt. of Bihar, Patna.
- 5. The District Magistrate, West Champaran.
- 6. The District Education Officer, West Champaran, Bettiah.

.... Respondent/s

with

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Letters Patent Appeal No. 1444 of 2017
IN
Civil Writ Jurisdiction Case No. 399 of 2017

=====

- 1. The Bihar School Examination Board, Patna through its Chairman, Patna.
- 2. The Chairman, Bihar School Examination Board, Patna.
- 3. The Secretary, Bihar School Examination Board, Patna.

.... Appellant/s

Versus

- 1. Mahendra Prasad Memorial U. M. V., Dariyapur, Cherki through its Secretary Jugal Kishor Son of Mahendra Prasad Resident of Dariyapur, Cherki, P.S. Sherghat, District- Gaya.
- 2. The State of Bihar, through the Principal Secretary Education Department, Government of Bihar, Patna.
- 3. The Principal Secretary, Education Department, Government of Bihar, Patna.
- 4. The District Magistrate, Gaya.
- 5. The Additional Collectorate, Gaya.
- 6. The District Education Officer, Gaya.

.... Respondent/s

with

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Letters Patent Appeal No. 1592 of 2017
IN
Civil Writ Jurisdiction Case No. 5072 of 2017

=====

- 1. The Bihar School Examination Board Through Its Chaiman, Patna .
- 2. The Chairman, Bihar School Examination Board, Patna.
- 3. The Secretary, Bihar School Examination Board, Patna.

.... Appellant/s

Versus

- 1. Mahatma Gandhi Inter Mahavidhyalaya, Jehanabad through its Principal Arbind Kumar Dwivedi, S/o Dinesh Chandra Dwivedi, R/o Village- Amair, P.S. Paras Bigha, District- Jehanabad.
- 2. The State of Bihar, through the Principal Secretary, Education Department, Government of Bihar, Patna.
- 3. The District Magistrate, Gaya.
- 4. The Additional Collector, Gaya.
- 5. The District Education Officer, Gaya.

.... Respondent/s



20/39

with

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Letters Patent Appeal No. 1446 of 2017
IN
Civil Writ Jurisdiction Case No. 1366 of 2017

=====

1. The Bihar School Examinatin Board, Patna through its Chairman, Patna.
2. The Chairman, Bihar School Examination Board, Patna.
3. The Secretary, Bihar School Examination Board, Patna.

.... Appellant/s

Versus

1. Ucchatar Madhyamik School, (+2), Kabar, Anti Gaya through its Secretary Ramesh Kumar, S/o Ramchandra Yadav, R/o Anti, P.O.- Kabar, P.S.- Anti, Distt.- Gaya.
2. The State of Bihar, through the Principal Secretary, Education Department, Government of Bihar, Patna.
3. The Principal Secretary Education Department, Government of Bihar, Patna.
4. The District Magistrate, Gaya.
5. The Additional Collector, Gaya.
6. The District Education Officer, Gaya.

.... Respondent/s

with

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Letters Patent Appeal No. 1447 of 2017
IN
Civil Writ Jurisdiction Case No. 5658 of 2017

=====

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

.... Appellant/s

Versus

1. Shri Ram Lakhan Singh Yadav Uchh Vidhyalaya, Nardiganj, Pandupa, Nardiganj (Nawada) through its Principal Ram Chandra Prasad, son of Mahaveer Mahto, Parma, P.S. Parman District- Nawada.
2. The State of Bihar through the Principal Secretary, Education Department, Government of Bihar, Patna.
3. The Principal Secretary, Education Department, Government of Bihar, Patna.
4. The District Magistrate, Nawada.
5. The District Education Officer, Nawada. null null

.... Respondent/s

with

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Letters Patent Appeal No. 1449 of 2017
IN



Civil Writ Jurisdiction Case No. 3977 of 2017

- =====
1. The Bihar School Examination Board (Senior Secondary), Buddha Marg, Patna through its Secretary.
 2. The Chairman, Bihar School Examination Board, (Senior Secondary), Buddha Marg, Patna
 3. The Secretary, Bihar School Examination Board (Senior Secondary), Buddha Marg, Patna.

.... Appellant/s

Versus

1. B. N. Bhagat +2 Uchhatar Madhyamik Vidhyalaya, Itarhi, Buxar through its President Om Prakash Bhagat Son of Vishwanath Bhagat, Resident of Village-Sarasti, P.O.-Itarhi, District-Buxar (Bihar).
2. The State of Bihar.
3. The Principal Secretary, Education Department, Government of Bihar, Patna.
4. The Director, Secondary Education, Government of Bihar, Patna, null null
5. The District Education Officer, Buxar.

.... Respondent/s

with

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Letters Patent Appeal No. 1453 of 2017
IN
Civil Writ Jurisdiction Case No. 5043 of 2017

=====

1. The Bihar School Examination Board (Senior Secondary), Buddha Marg, Patna through its Secretary.
2. The Chairman, Bihar School Examination Board (Senior Secondary), Buddha Marg, Patna.
3. The Secretary, Bihar School Examination Board (Senior Secondary), Buddha Marg, Patna.

.... Appellant/s

Versus

1. Harinandan Chandrabanshi Uchh Madhyamik Vidhyalaya, Bikramganj, Rohtas through its President Lakshman Prasad Son of Harinandan Chandrabanshi, Resident of Mohalla- Askamani Nagar, P.O.+ P.S.- Bikramganj, District- Rohtas (Bihar).
2. The State of Bihar
3. The Principal Secretary, Education Department, Government of Bihar, Patna.
4. The Director, Secondary Education, Government of Bihar, Patna.
5. The District Education Officer, Rohtas.

.... Respondent/s

with

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Letters Patent Appeal No. 1451 of 2017
IN
Civil Writ Jurisdiction Case No. 3244 of 2017

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- =====
1. The Bihar School Examination Board (Senior Secondary), Buddha Marg, Patna through its Secretary.
 2. The Chairman, Bihar School Examination Board (Senior Secondary), Buddha Marg, Patna.
 3. The Secretary, Bihar School Examination Board (Senior Secondary), Buddha Marg, Patna.

.... Appellant/s

Versus

1. Amarnath Mishra Uchhatar Madhamik Vidyalaya, Dayalpur, Dhansoi, Buxar through its Principal Seema Kumari @ Seema Devi Wife of Amarnath Mishra, Resident of Village- Dayalpur, P.O.- Gogaura, P.S.- Dhansoi, District- Buxar (Bihar).
2. The State of Bihar
3. The Principal Secretary, Education Department, Government of Bihar, Patna.
4. The Director, Secondary Education, Government of Bihar, Patna.
5. The District Education Officer, Buxar.

.... Respondent/s

with

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Letters Patent Appeal No. 1452 of 2017
IN
Civil Writ Jurisdiction Case No. 3195 of 2017

=====

1. The Bihar School Examination Board (Senior Secondary), Buddha Marg, Patna through its Secretary.
2. The Chairman, Bihar School Examination Board (Senior Secondary), Buddha Marg, Patna.
3. The Secretary, Bihar School Examination Board (Senior Secondary), Buddha Marg, Patna.

.... Appellant/s

Versus

1. Sunil Singh Yadav Uchh Madhyamik Vidhyalaya, Indrhiyan, Sasaram, Rohtas through its Principal -Cum-Secretary, Sunil Kumar Singh Son of Bhaiya Ram Singh Resident of Village- Indrhiyan, P.O.- Karup, Indrhiyan,P.S. Sasaram Moffasil, District- Rohtas(Bihar).
2. The State of Bihar.
3. The Principal Secretary, Education Department, Government of Bihar, Patna.
4. The Director, Secondary Education, Government of Bihar, Patna.
5. The District Education Officer, Rohtas.

.... Respondent/s

with

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Letters Patent Appeal No. 1454 of 2017
IN
Civil Writ Jurisdiction Case No. 127 of 2017

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- =====
1. The Bihar School Examination Board, Patna through its Secretary, the Bihar School Examination Board, Patna
 2. The Secretary, the Bihar School Examination Board, Patna
 3. The Chairman, the Bihar School Examination Board (Senior Seconary) Buddha Marg, Patna
 4. The Affiliation Committee of Bihar School Examination Board, Patna, Constituted under Rule 3 of the Bihar School Examination Board (Sr. Sec.) Affiliation Bylaws, 2013

.... Appellant/s

Versus

1. Makhdum Bakhsh Memorial Uchhtar Madhyamik Vidyalaya, Uttarvahini, Chanpatiya, District - West Champaran represented through its Secretary, Sheikh Najarul Haque, S/o Late Makhum Baksh, resident of village - Uttarvahini, P.O. Pokhariya Rai, P.S. Chanpatiya, District - West Champaran
2. The State of Bihar through the Pincipal Secretary, Department of Education, Govt. of Bihar, Patna
3. The Principal Secretary, Department of Education, Govt. of Bihar, Patna
4. The Director, Higher Secondary Education, Govt. of Bihar, Patna
5. The District Magistrate, West Champaran
6. The District Education Officer, West Champaran, Bettiah

.... Respondent/s

with

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Letters Patent Appeal No. 93 of 2018
IN
Civil Writ Jurisdiction Case No. 6205 of 2017

=====

1. The Chairman, Bihar School Examination Board, Budh Marg, Patna.
2. The Secretary, Bihar School Examination Board, Budh Marg, Patna.

.... Appellant/s

Versus

1. Rajeev Kumar Son of Sri Ram Lagan Rai resident of village - Rajapakar, P.S. - Rajapakar, District - Vaishali at Hajipur.
2. Akhilesh Kumar Son of Sri Suresh Rai resident of village - Salempur Dumaria, P.S. Goraul, District - Vaishali at Hajipur.
3. The State of Bihar through Principal Secretary, Human Resources Department, Govt. of Bihar, Patna.
4. The District Education Officer, Vaishali at Hajipur.
5. Deputy Development Commissioner-cum-Chairman (Inspecting Team), Vaishali at Hajipur.

.... Respondent/s

with

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Letters Patent Appeal No. 137 of 2018
IN



Civil Writ Jurisdiction Case No. 10609 of 2017

- =====
1. The Bihar School Examination Board, Patna through its Chairman.
 2. The Chairman, Bihar School Examination Board, Patna.
 3. The Secretary, Bihar School Examination Board, Patna.

.... Appellant/s

Versus

1. Baba Ganinath College, Dehri On Sone, Rohtas through the Chairman of the Managing Committee namely Chandrika Prasad Gupta son of Late Mallu Sah Resident of Village + Post - Takia Bazar, Sasaram, Rohtas, P.S. - Sasaram, District - Rohtas.
2. The State of Bihar through the Principal Secretary, Department of Education (Secondary), New Secretariat, Patna.
3. The Principal Secretary, Department of Education (Secondary), New Secretariat, Patna.
4. The Enquiry Committee through its Chairman, Additional Collector, Rohtas.

.... Respondent/s

with

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Letters Patent Appeal No. 1769 of 2017

IN

Civil Writ Jurisdiction Case No. 17950 of 2017

=====

1. The Bihar School Examination Board, Budha Marg, Patna through its Chairman.
2. The Chairman, Bihar School Examination Board, Budha Marg, Patna.
3. The Secretary, Bihar School Examination Board, Budha Marg, Patna.

.... Appellant/s

Versus

1. Balajee Inter College, Panapur (Suratpur), Kanti, P.S. Kanti, District Muzaffarpur through its Principal- cum-Secretary namely Rajendra Kumar, Son of Sri Shubh Narayan Pandey, resident of Village- Pokhira, P.O.- Kushi, P.S. Kanti, District- Muzaffarpur.
2. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
3. The Principal Secretary, Education Department, Government of Bihar, Patna.
4. The Director, Higher Education, Education Department, Governmet of Bihar, Patna.
5. The Collector-cum-District Magistrate, Muzaffarpur, District Muzaffarpur.
6. The Additional Collector, Disaster Management, Muzaffarpur-cum-Chairman Enquiry Team.
7. The District Education Officer, Muzaffarpur, District Muzaffarpur.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Lalit Kishore, Sr.Adv.
Mr. Satyabir Bharti, Adv.
Ms. Aparna Arun, Adv.
For the Respondent/s : Mrs. Shama Sinha, Adv.



Mr.Vijay Kumar Singh, Adv.
Mr. Arun Kumar, Adv.
Mr. Shri Prakash Srivastava, Adv.
Mr. Rajkishor Prasad, Adv.

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD)

Date: 13-07-2018

Challenge in this batch of Letters Patent Appeals, filed by the Bihar School Examination Board and its authorities (hereinafter referred to as 'the BSEB or the appellant'), is to the common judgment dated 24.08.2017 passed by the learned Writ Court in the analogous writ petitions. Since all the writ applications involved a common question of law and the grounds of attack against the impugned action of the BSEB, the learned Writ Court has disposed off all the writ applications with the consent of the parties as recorded in the impugned judgment.

2. The writ applications were preferred by the aggrieved Senior Secondary/Secondary Schools or the Trusts managing those schools when the 'BSEB' came out with the impugned notification withdrawing or cancelling the affiliation of the schools purportedly in exercise of the powers conferred upon the 'BSEB' under Regulation 15 of the Bihar School Examination Board (Senior Secondary) Affiliations Regulations, 2013 (hereinafter referred to as 'the Regulation, 2013').



3. The learned Writ Court has taken note of the stand of the BSEB in paragraph '8' and onwards in the impugned judgment. According to the BSEB, the decision taken by the appellant/Board is based on a large number of complaints received against various institutions engaged in imparting education to the students up to Class 10th/12th level. The allegations were that they were engaged and involved in certain illegitimate, illegal and backdoor methods in the matter of grant of their affiliation and further complaints were there alleging use of unfair means and malpractices in the course of examination held in these schools. It was contended before the learned Writ Court that earlier the BSEB administration had granted affiliations in favour of 212 schools/colleges where there were absolutely no infrastructure and other facilities available for teaching. This, according to the appellant, was taken seriously by the present Chairman of the Board who under his own guidance conducted a scrutiny, decided to enquire into the availability of infrastructure and other facilities and on receipt of the enquiry report even steps were taken for spot inspection and physical verification.

4. It was further contended before the learned Writ Court that based on the inspection reports, show cause notices were issued to the schools in question calling upon them to submit



their explanations in response to the show cause notice, explanations were received, those were considered by the Board objectively and, thereafter, the Board passed final speaking order cancelling the affiliation in courses of study, granted to the respective institutions.

5. Learned Writ Court having gone through the specific stand of the BSEB which were being seriously disputed by the writ-petitioners called for the original records dealing with the decisions relating to the cancellation of affiliations of the schools/colleges of the petitioners. The records were produced and the learned Writ Court has narrated in detail what has appeared from some of the original records produced by the BSEB. The relevant extracts available in the impugned judgment in paragraph 12, 13, 14, 15 and 16 are quoted hereunder for a ready reference:-

“12. In course of hearing of these cases, Mr. Lalit Kishore, learned Senior Counsel, representing the Board, has submitted that it is true that in some of the cases, the matter was not placed before the Board, i.e., Chairman and other Members of the Board, after receipt of the show cause replies from the respective schools/colleges before cancellation of such affiliations. It has, however, been submitted that at least in 12 cases, the matter was placed before the Board in its meeting held on 22.10.2016.

13. I have perused some of the original records produced by the Board to ascertain the correctness



or otherwise of the stand taken on behalf of the Board that the matters were placed before the Board for consideration. In particular, I have perused original files produced by the Board pertaining to schools which are petitioners In CWJC No. 20312 of 2016 and CWUC No. 5072 of 2017. What has been commonly found in original records of both these cases is that based on enquiry reports of five-member Committee constituted as aforesaid, the Vigilance Officer of the Board put up the file before the Chief Vigilance Officer of the Board proposing to seek show cause replies from the respective schools/colleges. The files ere, thereafter, placed before the Chairman of the Board with the noting "Yatha Prastwait" (as proposed). The Chairman endorsed the view of the Chief Vigilance Officer and accordingly show cause notices were issued to the schools, seeking their explanations against the proposal to cancel their affiliations of the coursed. The show cause replies were received in the Board, which were, again, dealt with by the Vigilance Officer. He, in his noting, dated 15.10.2016, in CWJC No. 20312 of 2016 (Subhash Senior Secondary School Moratalab), recommended for cancellation of affiliation. The Dhief Vigilance Officer approved the proposal, which finally came to be endorsed by the Chairman of the Board. The letters, cancelling the affiliations, were issued, before the meeting of the Board is said to have been held to consider cancellation of affiliations of these schools/colleges.

14. It cannot be, thus, the plea of the Board that



the decisions to cancel affiliations of these schools/colleges were taken by the Board since there is nothing on record to show that before the decision was taken, the matter was placed before the Board.

15. Absence of any noting in the file that the matter was subsequently placed before the Board casts a serious doubt on the stand taken on behalf of the Board that these matters were ever placed before the Board.

16. I have discussed these facts in the very beginning to address the arguments advanced on behalf of the petitioners and the Board on the question of legality of the action in issuance of the impugned letters, cancelling affiliations granted to the concerned schools/colleges.”

6. In view of the admitted position that the matter was not placed before the Board and the Board had no occasion to consider the show cause replies submitted by the respective schools/colleges and that the order of withdrawal or cancellation of the affiliation of the schools were passed only by the Chairman of the Board with a noting “*Yatha Prastwait*” (as proposed), the learned Writ Court has recorded a definite finding that decision to cancel affiliations of the schools/colleges were not taken by the Board. The learned writ Court found that action started at the behest of the Chairman of the Board had ended with his decision to cancel affiliations.



7. The learned Writ Court has reiterated in paragraph 17 of the impugned judgment that **“..... there is no dispute about rest of the schools/colleges affiliations of which have been cancelled by different orders and are there before this Court in the present batch of cases, that the decisions to cancel the affiliations have been taken by the Chairman and not by the Board. Regulation 15 of the Regulations confers upon the Board, power and jurisdiction to withdraw affiliations of the schools/colleges or disaffiliate it in certain circumstances as enumerated in the said Regulations.”**

8. After dealing with the various provisions of the Act and taking note of the Constitution of the Board as provided under 4 of the Bihar School Examination Board Act, 1952 (hereinafter referred to as the ‘Act’), the learned Writ Court has taken a view that the statutory power of cancellation of affiliation can be exercised by the Board constituted under 4 (a) of the Act only. The Chairman of BSEB is a part of the Board and he could not have individually exercised the power vested in the Board. It appears that the writ-petitioners challenged the impugned action of the Chairman of BSEB on an another ground that the Chairman of the BSEB had taken a view as regards the deficiency in infrastructure available to the schools on incorrect information and the view



taken by him that the schools in question had obtained affiliation by furnishing wrong and false information to the Board had no basis to stand.

9. It was their common contention that the statutory committee known as the Committee for affiliation had granted them affiliation only after going through the report of the then inspection committee. The learned Writ Court has upon consideration of the various provisions of the Act and the Regulations and then taking note of the affidavits filed on behalf of the petitioners that they shall remove all the deficiencies and fulfill the conditions of affiliations within different periods of time mentioned therein observed that **“.....The Court expects the Board to consider individual cases of the schools and if it is found permissible, allow them time to remove such deficiencies in terms of proviso to sub-Regulation (4) of Regulation 3 of the Regulations. The Board, for the said purpose, will be required to undertake the exercise afresh to ascertain whether these schools fulfill conditions of affiliation or are in a position to overcome the deficiencies. A positive and constructive approach, if taken by the Board, may have good results in larger public interest. The Board, while taking any decision, must keep in mind whether Government schools and**



Government aided schools do have the infrastructure and teaching facilities to meet the standards of conditions for affiliation.”

10. Referring to third proviso to Section 10C of the Act, the learned Writ Court held that according to said provision before withdrawing affiliation, the students admitted in such schools or institutions shall be allowed to complete their academic sessions and appear at the next examination conducted by the Board and, therefore, taking note of the said provision of Section 10C of the Act the learned Writ Court has directed the BSEB not to overlook the said provisions in any case. It has been held that Section 10C of the Act is an enough indication that the Board does not have power to suspend, with immediate effect, affiliation of a school and the said power cannot be said to be inherent in the Board.

CHALLENGE TO THE IMPUGNED JUDGMENT

11. While assailing the impugned judgment of the learned Writ Court, Mr. Lalit Kishore, learned Sr. Advocate assisted by Mr. Satyabir Bharti, learned advocate on record, submits that the learned Writ could not appreciate that the decision to cancel/withdraw the affiliation of the schools in question were taken only after various complaints were received from different



Stake holders and before passing any order of withdrawal of affiliation, the Chairman of the BSEB had got conducted local inspection and after receipt of the inspection report, the same was made available to the schools in question while calling for their explanations thereon as to why the affiliation of the school be not withdrawn. It is the submission of the learned senior counsel that the decision has been taken in the larger public interest and in view of the detection of the merit scam in the State of Bihar, the decision was required to be taken to do away with the unfairness and malpractices in the matter of affiliations of schools and conduct of the examinations held by the BSEB. It is his submission that no doubt the Chairman of the BSEB is only a member of the Board as envisaged under Section 4 of the Act, still in this case the learned writ Court was not justified in interfering with the impugned action cancelling/withdrawing the affiliation of the schools in question. At the Bar learned senior advocate attempted to justify the impugned action of the Chairman of the BSEB on various grounds of allegations against the schools including that their initial grant of affiliation itself was not above the Board and was a result of extraneous consideration. It is further submitted that the learned Writ Court was not justified in directing the BSEB to consider the case of the petitioners for granting them time to report



the deficiency, if any, prevailing in the matter of running schools in question.

12. On the other hand, learned counsel representing the writ petitioners-private respondent(s) submits that a bare perusal of the impugned judgment would show that even before the learned Writ Court Mr. Lalit Kishore, learned senior advocate representing the Board has admitted to the extent that the matter of cancellation/withdrawal of affiliation was not placed before the Board i.e. the Chairman and other members of the Board, after receipt of the show cause replies from the respective schools/colleges. It is submitted that the power of cancellation/withdrawal of affiliation is vested in a statutory body in form of a 'Board' as envisaged under Section 4 of the Act and when the Statute provides a particular thing to be done in a particular manner, that thing should be done only in the manner provided in the Statute and in no other way. It is submitted that in the present case, the Chairman of the BSEB has acceded his jurisdiction and has in fact usurp the power of the Board in hot haste which has rightly not been approved by the learned Writ Court. It is further submitted on behalf of the private respondents that as regards the time to be granted to the schools/management in question for removal of the deficiencies, the learned Writ Court



has not issued any positive direction to the BSEB and its authorities, the Court has only said that if permissible in terms of proviso to sub-section (4) of the Regulations, while considering individual cases of these schools, time may be allowed to remove such deficiencies. It is submitted by the private respondents that questioning of the affiliations granted to the schools in question at this stage after lapse of a substantial period of time and several years is not just and proper.

13. At this Stage we must record our unhappiness on the attempt having been taken in 2-3 cases on behalf of the private respondents to contend that their cases are different from other cases and therefore the other issues of facts which are involved in their cases are required to be looked into. We find from the impugned judgment that all the writ applications were heard and disposed off with the consent of the parties, till today none of them have filed any review application, as informed to us, before the learned Writ Court seeking review of their individual case on any ground whatsoever. These Letters Patent Appeals are pending for more than six months and at this stage of final hearing when the arguments have been concluded such attempts on the part of the two or three writ petitioners are not well appreciated and cannot be allowed to be agitated keeping in mind the nature of the



controversies and the scope and ambit of interference in these matters at this stage. It is not in dispute that all the cases involved common issues involving common grounds and questions of law.

CONSIDERATION

14. Having heard learned senior advocate on behalf of the appellants, learned counsel for the private respondents and learned counsel for the State, this Court is of the considered opinion that the power of cancellation/withdrawal of affiliation to the schools in question is vested only with the Board ('Board as constituted under Section 4 of the Act'). The Board consists of various members and the Chairman of the BSEB is one of the members of the Board only, therefore after receipt of the show cause replies on behalf of the schools in question their replies were required to be placed before the 'Board' which has not been done in the present case. This is an admitted position and even learned senior counsel for the BSEB has admitted that the matter was not placed before the Board with the show cause replies before the decision was taken by the Chairman for cancellation/withdrawal of the affiliations of the schools. It is well settled by the judicial pronouncements that if the Statute provides a particular thing to be done in a particular manner, the same must be done in the manner provided by the Statute or not at all. In this regard we refer a



judgment of the Hon'ble Supreme Court in the case of **Hukam Chand Shyam Lal Vs. Union of India & Ors.** reported in **AIR 1976 SC 789**. Paragraph 18 of the said judgment is quoted hereunder for a ready reference :-

“It is well settled that where a power is required to be exercised by a certain authority in a certain way, it should be exercised in that manner or not at all, and all other modes of performance are necessarily forbidden. It is all the more necessary to observe this rule where power is of a drastic nature and its exercise in a mode other than the one provided, will be violative of the fundamental principles of natural justice. Now, in the present case, if the telephones of the appellants were to be disconnected on the ground of misuse, then they had to give, in consonance with the principles of natural justice, opportunity to the appellants to explain their conduct before taking action under Rule 427 read with Rules 416 and 421. Resort to the wrong and more drastic course provided in Rule 422, on a ground which was not germane to an action under that Rule, vitiates the impugned order, particularly when it is manifest that in making the impugned order, the General Manager was influenced more by this ground and less, if at all, by the existence of ‘public emergency’ certified by the Delhi Administration.”

15. The same view has been reiterated by the Hon'ble



Supreme Court in the case of **V.T. Khanzode & Ors. Vs. Reserve Bank of India & Anr.** reported in **AIR 1982 SC 917**.

16. We, therefore, do not find any error in the view taken by the learned Writ Court that the impugned action of the Chairman, BSEB in the matter of cancellation/withdrawal of the affiliation of the schools in question cannot be sustained and those are liable to be set aside. Even though learned senior counsel representing the BSEB has attempted to place before us a number of grounds for taking such a decision by the Chairman of the BSEB, we are conscious of the present stage of litigation where this Court has remanded the matter back to the 'Board' constituted under Section 4 of the Act to take a fresh decision and, therefore, we are of the view that it would not be just and proper for this Court to examine or to delve upon the grounds for cancellation which have been sought to be raised before us. We leave it open to the 'Board' to consider the matter afresh after giving an opportunity to the schools in question in accordance with law, consider their replies independently and pass a reasoned order after due consideration to the replies of the schools. Such decision must be taken by the Board within a period of three months from the date of receipt/production of a copy of this order.

17. So far as observations of the learned Writ Court in



paragraph 55 of the impugned judgment is concerned, we are of the considered opinion that the observations made in paragraph 55 be not taken as a mandamus/direction to the respondent Board and to that extent the observations of the learned Writ Court are modified to the extent that the matters relating to deficiencies in the infrastructure and removal thereof are to be dealt with by the Board or the competent authority, as the case may be, in terms of the Act and Regulations in accordance with law. Save and except the above modification in paragraph 55 of the impugned judgment of the learned Writ Court, we do not find any reason to interfere with the rest part of the impugned judgment.

18. All the Letters Patent Appeals are, thus, disposed off in terms stated hereinabove.

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

Arvind/-

AFR/NAFR	NAFR
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