

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14848 of 2017

Prashant Kumar Singh, S/o Sri Indrajeet Singh, R/o 3rd Floor, SBI Building,
Main Road, Kankarbagh, P.S.- Kankarbagh, Distt- Patna (Principal cum
Secretary, Mahakali Ravinath Memorial Vidyapith, Higher Secondary School,
Makaranda, Manigachhi, Darbhanga, Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Education Department, Bihar, Patna.
3. The Director, Higher Education, Bihar, Patna.
4. The Bihar School Examination Board through its Secretary, Patna.
5. The Chairman, Bihar School Examination Board, Patna.
6. The Secretary, Bihar School Examination Board, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Sanjay Kumar
For the Board	:	Mr. Gyan Shankar
For the State	:	Mr. Kameshwar Kumar -GP17 Mr. Arbind Kumar, GP-17

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

5 03-12-2018 Aggrieved by the order dated 23.05.2017 passed by

the Bihar School Examination Board, whereby an application
seeking affiliation up to senior secondary level in favour of
Mahakali Ravinath Memorial Vidyapith, Higher Secondary
School, Makaranda, Manigachhi, Darbhanga, Bihar, has been
refused, the petitioner has approached this Court.

Learned counsel, appearing on behalf of the Board,
does not dispute that the petitioner's case is squarely covered by
a decision of this Court dated 24.08.2017 in case of *Uchatar
Madhyamik School (+2) Kabar Vs. The State of Bihar and*



Ors. and with other analogues cases (Annexure-11 to this writ application) and subsequent judgment of the Division Bench rendered on 10.10.2017 in case of ***The Bihar School Examination Board & Ors. Vs. Trimurti Inter College & Another*** and with other analogues cases.

In view of the stands so taken, the impugned order dated 23.05.2017 is hereby set aside. The Board is directed to consider the case of the petitioner afresh for grant of affiliation, in accordance with law.

Learned counsel, appearing on behalf of the petitioner, submits that the petitioner shall pursue his case for grant of affiliation for senior secondary classes only and contends that the school fulfills the requisite criteria for grant of affiliation to that extent, in any view of the matter.

The petitioner shall be at liberty to take appropriate steps for seeking affiliation for senior secondary level only before the Bihar School Examination Board in accordance with the procedure prescribed under the Affiliation Regulation.

This writ application stands disposed of with the observations, as above.

The Court expects that final decision is taken by the Board by 15th of March, 2019, so that if the petitioner's



application for grant of affiliation is decided in his favour, the school, in question, is in a position to admit students for the next academic session.

(Chakradhari Sharan Singh, J)

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