

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.12 of 2017

In

Civil Writ Jurisdiction Case No.10185 of 2016

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Bimla Devi Wife of Late Panna Lal Yadav Resident of Village - Kharahia
Basti, Ward No. 10, Police Station + District - Araria (Bihar).

... .. Petitioner/Appellant

Versus

1. The Bihar School Examination Board (Higher Secondary) through its Chairman, Budha Marg, Patna.
2. The Chairman, Bihar School Examination Board (Higher Secondary), Budha Marg, Patna.
3. The Secretary, Bihar School Examination Board (Higher Secondary), Budha Marg, Patna.
4. The State of Bihar through the Principal Secretary of Human Resources, Bihar Vikas Bhawan, New Secretariat, Patna.

... .. Respondent/s

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Appearance :

For the Appellant/s	:	Mr. Rajendra Prasad Singh, Sr. Advocate Mr. Rajeev Kumar Singh Mr. Mukesh Kumar Singh
For the BSEB, Patna	:	Mr. Manish Kumar Mr. Gyan Shankar

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN

and

**HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE JYOTI SARAN)

5 27-08-2018 Heard Mr. Rajendra Prasad Singh, learned Senior

Counsel for the appellant-writ petitioner and Mr. Manish Kumar

for the Bihar School Examination Board.

This intra-Court appeal arises from a judgment and

order of the learned Single Judge passed in CWJC No. 10185 of

2016, whereby the writ petition was dismissed.

Mr. Manish Kumar appearing for the Bihar School



Examination Board informs that there is already an alternative statutory remedy available before the Bihar Anudanit Shikshan Sansthan Pradhikar who is competent to look into the issue as raised in the writ petition and the appellant-writ petitioner would be at liberty to invoke the said jurisdiction.

Having heard the learned counsel for the parties and in the nature of dispute which is sought to be raised before the Writ Court, we are not persuaded to grant indulgence to the issue raised nor are we persuaded to interfere with the judgment and order impugned, save and except that apart from the liberty so granted by the learned Single Judge to the petitioner, to invoke the alternative remedy of Civil Court as mentioned in the order impugned, he would also be entitled to raise his grievance before any other authority competent to do so.

With the observation above, the appeal is dismissed.

(Jyoti Saran, J)

(Chakradhari Sharan Singh, J)

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