

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.481 of 2018
IN
Civil Writ Jurisdiction Case No. 534 of 2017**

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

.... Respondents-Appellants

Versus

1. Keshav Bindeshwari Uchach Madhyamik School, Arwal, through its Principal Pramod Kumar, S/o Gayani, R/o Jonha, Post-Karpi, P.S. Karpi, Distt. Arwal.
.....Petitioner-Respondent 1st Set
2. The State of Bihar through the Principal Secretary, Education Department, Government of Bihar, Patna.
3. The District Magistrate, Arwal.
4. The District Education Officer, Arwal.

.... Respondents-Respondents 2nd Set

=====

Appearance :

For the Appellant/s : Mr. Satyabir Bharti, Adv.
Mr. Alok Chandra, Adv.

For the Respondent/s : Mr. Ashutosh Ranjan Pandey –AAG-15

=====

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD)

Date: 01-08-2018

I.A. No.2753 of 2018 has been filed for condonation of
delay of 149 days in filing the present Letters Patent Appeal.

I.A. is allowed. Delay is condoned.

Challenge in the present Letters Patent Appeal is to the
order dated 06.10.2017 passed in Civil Writ Jurisdiction Case No.534
of 2017. By the impugned order, the learned Writ Court has been
pleased to uphold the submissions of the petitioner that prior to



cancellation of the affiliation of the school which is a government aided private school up to Secondary Level and has been upgraded to senior secondary level, no show cause notice at all was given to the petitioner. The learned Writ Court has set aside the impugned decision of the Board and has held that the decision rendered in the case of Uchatar Madhyamik School (+2) and Others Vs. State of Bihar and Others passed in CWJC No.1366 of 2017 dated 24.08.2017 was squarely covered this case.

We have recently decided a batch of Letters Patent Appeal bearing No.1431 of 2017 and other analogous matters. This appeal is being disposed off in the same terms in which LPA No.1431 of 2017 and other analogous cases have been decided by this Court.

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

Arvind/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	03.08.2018
Transmission Date	

