

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16503 of 2017

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Ram Videshi Singh College, Dhanushi, Vaishali through its Principal-cum-Member Secretary Adhoc Committee Sri Narbdeswar Kumar Son of Late Shyam Bahadur Singh R/o Village Dhanushi, P.O. - Gataro, P.S. - Kartahan, District - Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Education Department, Govt. of Bihar, Patna.
3. The Bihar School Examination Board, Patna through its Secretary.
4. The Secretary, Bihar School Examination Board, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Siya Ram Sahi, Advocate with Mr. Rama Kant Singh, Advocate
For the Respondent/s	:	Mr. SMT. SHILPA SINGH -GA-12
For the Board	:	Mr. Amrendra Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 31-01-2018 Aggrieved by the communication, dated 26.09.2017, issued under the signature of the Secretary, Bihar School Examination Board, Patna (hereinafter referred to as the Board), whereby affiliation granted in favour of the petitioner-School has been withdrawn, this writ application has been filed. i

2. It transpires from the impugned order that decision to withdraw the affiliation was taken by the Committee of Affiliation of the Board. Sub-Section (4) of Section 10B of the Bihar School Examination Board Act, 1952 (hereinafter referred to as the Act), makes provision for appeal against the decision of the Committee constituted under Section 10B of the Act within



thirty (30) days of communication of the decision before the State Government. There is no statement as to when the said order was communicated to the petitioner-School.

3. This writ application is accordingly, disposed of with a liberty to the petitioner to prefer appeal under Section 10B (4) of the Act.

4. Since the petitioner was pursuing his remedy before this Court by filing the present writ application, the appellate authority shall not reject the petitioner's appeal on the ground of delay, if such appeal is preferred within thirty (30) days from today and decide the same on merits, within three months from filing of the appeal.

5. This application stands disposed of.

(Chakradhari Sharan Singh, J)

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