

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20679 of 2018

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Sharda Niwas Sanskrit Prathmik Vidyalaya, Paparpanti, Gaya, through the
Acting Head master Bibhuti Bhusan Mishra, son of Late Jagdut Mishra,
resident of Village-Pura, P.S. Tekari, Gaya

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Department of
Education, Govt. of Bihar, Patna
2. The Principal Secretary, Department of Education, Govt. of Bihar, Patna
3. The Joint Secretary to the Government, Education Department, Govt. of
Bihar, Patna
4. The Special Director (Sanskrit) Secondary, Primary and Adult Education,
Department of Education, Govt. of Bihar, Patna
5. The Deputy Secretary to the Government, Department of Education,
Govt. of Bihar, Patna
6. The Chairman, Bihar Sanskrit Shiksha Board, Patna
7. The Secretary, Bihar Sanskrit Shiksha Board, Patna

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Hemant Kumar Jha
For the BSSB		Mr. S.S.Sundram
		Mr. Shashank Shekhar
For the State	:	Mr. Prabhat Ranjan Singh, AC to AAG 15

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

2 26-10-2018

Heard learned counsel for the parties.

The orders which are impugned, as contained in
Annexure-1 dated 15.06.2002, have already been quashed by
this Court by orders passed in CWJC No. 1727 of 2009 and
other analogous cases which is reported in **2013(4) PLJR 268**
(Sarswati Bhawan Jai Kant Madhyamic Sanskrit Vidyalaya
Vs. State of Bihar and others.

In view of the said submission, this writ application is



allowed. The impugned orders dated 15.06.2002, 21.07.2008 and 05.03.2012 stand quashed to the extent they relate to the petitioner. It will be, however, subject to the outcome of the LPA No. 946 of 2015, which is pending.

It is also informed that certain issues relating to such recognition/cancellation are pending before the Constitution Bench of the Supreme Court where the matter is under active consideration. The decision of the Supreme Court may also have reflection on the petitioner's case. The question of payment to the petitioner will be considered by the appropriator authorities, if any such demand is made.

This writ application stands disposed of accordingly.

(Chakradhari Sharan Singh, J)

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