

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16562 of 2017

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Dr. Shukla Singh Uchh Madhyamic Vidyalya Khairatiya (Malikana),
Gopalganj through its Principal Basant Narain Singh, son of Late Bankey
Bahadur Singh, Resident of Mohalla- Mahendra Nagar, Ward No.26, North of
V.M. Maidan, P.O. P.S. Distt.- Gopalganj.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary, Education Department, Government of Bihar,
Patna.
3. The Director, Secondary Education, Government of Bihar, Patna.
4. The District Education Officer, Gopalganj.
5. The Bihar School Examination Board Senior Secondary, Buddha Marg,
Patna through its Secretary.
6. The Chairman Bihar School Examination Board Senior Secondary, Buddha
Marg, Patna.
7. The Secretary, Bihar School Examination Board Senior Secondary, Buddha
Marg, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Shafiur Rahman, Advocate
For the Respondent/s : Mr.Kameshwar Kumar -GP-17

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 26-07-2019 Heard learned counsel for the petitioner and learned

counsel appearing on behalf of the State as well as the Bihar

School Examination Board.

The petitioner has challenged the letter no. 3525 dated
21.10.2016 issued by the Secretary, Bihar School Examination
Board, whereby the affiliation of the institution in question was
withdrawn.

Learned counsel for the petitioner would submit that



after receipt of the show cause notice the petitioner prayed for time but instead of granting time the affiliation of the petitioner-institution was withdrawn. He further submits that the institution fulfills the norms and standards for grant of affiliation and the action of the respondent to cancel/withdraw the affiliation is illegal, arbitrary and violative of principle of natural justice.

The decision was taken by the Board on 21.10.2016.
we are in 2019.

Under the aforesaid circumstances when the affiliation of the institution was withdrawn by the Examination Board and on account of the aforesaid fact situation, the institution is not admitting the students, the writ petition is disposed of with a direction to the petitioner to file an application with all particulars before the Bihar School Examination Board and on filing of such application along a copy of this order, the Examination Board will consider the application for grant of affiliation to the institution in question without being prejudiced by the previous decision dated 21.10.2016 cancelling the previous affiliation. Necessary decision in this regard must be taken within a period of two months from the date of filing of such application in the



prescribed form.

With the aforesaid, the writ petition stands disposed
of.

(Anil Kumar Upadhyay, J)

spandey/-

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