

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No. 1248 of 2019

Arising out of

Civil Writ Jurisdiction Case No. 4913 of 2015

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1. Arun Kumar Singh, aged about 59 years, (Male), Son of Jagannath Singh, Resident of Village Kotwa, P.S. Barauli, District- Gopalganj.
 2. Dinesh Kumar Mishra, aged about 49 years, (Male), Son of Chandra Shekhar Mishra Resident of Village-Rajapakar, P.S.-Turkpatti, District-Kushinagar (U.P.).
 3. Md. Murtaza Ali, aged about 54 years, (Male), Son of Late Md. Islam, Resident of Village-Sareyan Narendra, P.S. Barauli, District-Gopalganj.
 4. Mithilesh Shukla, aged about 45 years, (Male), Son of Late Gobind Shukla Resident of Village-Khajuriya, P.S. Sidhwaliya, District-Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar through Shri R.K. Mahajan, the Principal Secretary, Education Department, Government of Bihar, Patna.
2. Shri R.K. Mahajan the Principal Secretary, Education Department, Government of Bihar, Patna.
3. Girbal Dayal Singh the Director (Secondary Education), Education Department, Government of Bihar, Patna.
4. Animesh Prashar the District Magistrate, Gopalganj.
5. Pragati Verma the District Education Officer, Gopalganj.
6. The Bihar School Examination Board through the Secretary Anup Kumar Sinha, Budh Marg, Patna.
7. Anup Kumar Sinha, the Secretary, Bihar School Examination Board, Budh Marg, Patna.
8. Pandit Din Dayal Upadhyay Inter College Khajuriya, Barauli, District-Gopalganj through Ranjan Singh, the Secretary.
9. Ramjanam Singh, the Principal, Pandit Din Dayal Upadhyay Inter College, Khajuriya, Barauli, District-Gopalganj.
10. Ramjanam Singh, the Principal cum Member Secretary of Managing Committee of Pandit Din Dayal Upadhyay Inter College, Khajuriya, Barauli, District-Gopalganj.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Md. Helal Ahmad, Advocate
For the BSEB	:	Mr. Ajay Behari Sinha and Ms. Seema Ghazala, Advocates
For the State	:	AC to AAG 15

**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH**



ORAL JUDGMENT

Date : 11-09-2019

Heard learned counsel for the petitioners; learned AC to AAG 15 for the State and learned counsel for the Bihar School Examination Board (hereinafter referred to as the 'Board').

2. From the pleadings and materials on record, the Court finds that the order dated 30.06.2016 passed in CWJC No. 4913 of 2015 has been substantially complied with.

3. Learned counsel for the Board pointed out that certain queries have been asked from the institution and the same has not been replied to and even as per the order of the Court, the release of grant in aid had to be in a manner that the funds do not fall in wrong hands. It was submitted that query with regard to the same has not been replied to by the institution, though the other direction of constituting the Managing Committee, has been complied with under order dated 15.11.2017.

4. Learned counsel for the petitioners submitted that the institution has sent its reply on May, 2019 itself. However, the Court finds that no such affidavit has been filed on behalf of the petitioners indicating such reply sent by the institution in question.

5. In view thereof, the Court does not find any deliberate or willful disobedience of the order dated 30.06.2016 passed in CWJC No. 4913 of 2015.



6. Accordingly, the application stands disposed off with the observation that upon receipt of response, if already not sent, the authorities shall ensure that the matter is taken to its logical conclusion without any undue delay.

(Ahsanuddin Amanullah, J.)

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