

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No. 2973 of 2017

Arising out of

Civil Writ Jurisdiction Case No. 18500 of 2009

=====

Surendra Das @ Surendra Kumar, the Headmaster of Shamayle Nabi Jogendra Prasad High School, Baksama Gangti, District-Vaishali, Son of Late Bushawan Das, Resident of Village and Post- Chehrakalan, P.S.-Goraul, District-Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar through Sri R. K. Mahajan, Principal Secretary, Human Resources Development Department, Government of Bihar, Patna.
2. Sri Anup Kumar Sinha, the Secretary, Bihar School Examination Board, Patna.
3. Sri Rajiv Prasad Sinha Ranjan, the Director of Education, Secondary Education Department, Government of Bihar, Patna.
4. Sri Prasad Nand Mishr, the Deputy Director of Education, Secondary Education Department, Government of Bihar, Patna.
5. Srimati Sangeeta Sinha, the District Education Officer, Vaishali at Hajipur.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Umesh Kumar, Advocate
For the State : Mr. P. M. Sharan, AC to AAG 15

=====

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

ORAL JUDGMENT

Date : 06-08-2019

Heard learned counsel for the petitioner and learned
AAG 15 for the State.

2. The petitioner has moved the Court alleging non
compliance of the order dated 06.01.2010 passed in CWJC No.
18500 of 2009.



3. By the said order, the writ petition was disposed off in the following terms:

“Let the respondent Board act expeditiously in the light of Annexure 8 with regard to the genuine students of the institution within a maximum period of four weeks from the date of receipt and/or production of a copy of this order before it.

If the respondent Board proposes to deny issuance and acceptance of fees and forms for the students of the petitioner institution it shall be required to furnish reason to the petitioner institution within the aforesaid period, grant it opportunity to meet the same and then pass a reasoned and speaking order to facilitate judicial review should the need arise for the same.”

4. From the aforesaid, it is obvious that the matter related to the examination to be held by the Bihar School Examination Board (hereinafter referred to as the ‘Board’) in March, 2010. The present application has been filed in October, 2017 i.e., after almost eight years. Much water has flown since January, 2010 and as it is, today in the year 2019, there cannot be any question of accepting the fees and forms for students who would have appeared in the secondary examination which was then to be held by the Board in March, 2010.

5. The present application itself was, thus, infructuous right from the beginning as nothing remained with regard to compliance of the order of the writ Court, as due to efflux of time, nothing could have been done in the matter.



6. In view thereof, the application stands disposed off.

(Ahsanuddin Amanullah, J.)

P. Kumar

AFR/NAFR	
U	
T	

