

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11150 of 2019

1. Pratibha Pallavan Teacher Training College Village- Barni, Taluka/ Tehsil- Masaurhi, P.S. Dhanaruya, District- Patna, Bihar- 804452 through the Secretary Abhiram Singh (M), aged about 55 years S/o Arjun Singh R/o Colony- Professor Colony, P.S.- Jehanabad, District- Jehanabad, Bihar- 804408
2. J.P. Shikshak Parishikhan Mahavidyalaya, Village- Biyabani, P.O. and P.S.- Biharsharif, District- Nalanda, Bihar- 803101 through Secretary Shailesh Kumar (M), aged about 42 years, S/o Yugeshwar Prasad R/o Village- Chas, P.O. and P.S.- Chas, District- Bokaro, Jharkhand- 827013.

... .. Petitioner/s

Versus

1. The Bihar School Examination Board Sinha Library Road, Patna through its Secretary.
2. The Chairman, Bihar School Examination Board, Sinha Library Road, Patna.
3. The Secretary, Bihar School Examination Board, Sinha Library Road, Patna.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 11194 of 2019

Bhagwan Prasad Sheonath Prasad B. Ed College 118, 123, 125, Plot No. 936-945, Patna Road, Kera, Bhakharuan More, Daudnagar, Aurangabad, Bihar- 824113 through its Secretary Prakash Chandra (M), aged about 41 years, S/o Shri Bhagwan Prasad, R/o Village-Bhakharua More, P.O.-Daud Nagar, P.S.- Daud Nagar, District-Aurangabad

... .. Petitioner/s

Versus

1. The Bihar School Examination Board Sinha Library Road, Patna through its Secretary
2. The Chairman Bihar School Examination Board, Sinha Library Road, Patna
3. The Secretary Bihar School Examination Board, Sinha Library Road, Patna

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 12503 of 2019

1. Maa Bacchan Devi Teachers Training College, Village- Arawan, P.O. and P.S. Ben, District- Nalanda, Bihar- 803114 through Secretary Prafulla



Kumar Azad , Son of Prabhat Kumar Azad R/o Village- Ghoswari, P.S. Ghoswari District- Patna, Bihar- 803212

2. Maa Bacchan Devi B.ED. College, Village- Mansa Bigha, P.O. and P.S. Ben District- Nalanda Bihar- 803114 through Secretary Prafulla Kumar Azad, Son of Prabhat Kumar Azad, R/o Village- Ghoswari,P.S. Ghoswari, District- Patna, Bihar- 803212.

... .. Petitioner/s

Versus

1. The Bihar School Examination Board, Sinha Library Road, Patna through its Secretary.
2. The Chairman, Bihar School Examination Board, Sinha Library Road, Patna.
3. The Secretary, Bihar School Examination Board, Sinha Library Road, Patna.

... .. Respondent/s

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with

Civil Writ Jurisdiction Case No. 16021 of 2019

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Mata Manjharo Ajab Dayal Singh Teachers Training Colleg Village-Dulour (Baradparwa), Street/Road-Dulour-Bihiya, Taluka/Mondal-Jagdishpur, Town / City-Dulour, (Baradparwa PS Jagdishpur, through its Chairman, Madheswar Singh (M) aged about 65 yrs, son of Late Ajab Dayal Singh, Resident of Mohalla Maharaja Hata, P.S.-Kothua, District-Bhojpur Ara, Bhojpur, Bihar

... .. Petitioner/s

Versus

1. The Bihar School Examination Board Sinha Library Road, Patna through its Secretary
2. The Chairman Bihar School Examination Board, Sinha Library Road, Patna
3. The Secretary Bihar School Examination Board, Sinha Library Road, Patna

... .. Respondent/s

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with

Civil Writ Jurisdiction Case No. 16277 of 2019

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Rameshwar Singh Teachers Training College Plot No. 145, 174 Street No. 01, Vill/Po-Pandey Parsawan, Tehsil Town Block Town Ciy, Gaya District-Gaya Bihar code No. ERCAPP2586 through its Director, Vinay Kumar (M) aged about 45 years, Residence Mohalla Sastri Nagar West Road No. 3 B, P.O. and P.S. Rampur, District Gaya, Bihar

... .. Petitioner/s

Versus

1. The Bihar School Examination Board Sinha Library Road, Patna through its Secretary



2. The Chairman Bihar School Examination Board, Sinha Library Road, Patna
3. The Secretary Bihar School Examination Board, Sinha Library Road, Patna

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 16278 of 2019

Bihar College of Education Hajipur, Vaishali through its Secretary, Anil Kumar, S/o Shri Raj Kishore Chaudhary, At- Bari Yusufpur, P.O.- Hajipur, P.S.- Industrial Area, District- Vaishali.

... .. Petitioner/s

Versus

1. Bihar School Examination Board Sinha Library Road, Patna through its Secretary.
2. The Chairman, Bihar School Examination Board, Sinha Library Road, Patna.
3. The Secretary, Bihar School Examination Board, Sinha Library Road, Patna.
4. The Deputy Secretary, Bihar School Examination Board, Sinha Library Road, Patna.
5. The Director (Academics), Bihar School Examination Board, Sinha Library Road, Patna.
6. National Council for Teacher Education, Hans Bhawan Wing II, Bahadurshah Zafar Marg, New Delhi- 110002 through its Member Secretary.
7. The Member Secretary, National Council for Teacher Education, Hans Bhawan Wing II, Bahadurshah Zafar Marg, New Delhi- 110002.
8. The Regional Director, National Council for Teacher Education, Eastern Regional Committee, 15 Neelakantha Nagar, Nayapalli, Bhubneshwar-751012.

... .. Respondent/s

Appearance :

(In Civil Writ Jurisdiction Case No. 11150 of 2019)

For the Petitioner/s : Mr. Shri Nath Pathak
Mr. Prashant Kumar
For the Respondent/s : Mr. Lalit Kishore
Mr. Gyan Shankar

(In Civil Writ Jurisdiction Case No. 11194 of 2019)

For the Petitioner/s : Mr. Prashant Kumar
For the Respondent/s : Mr. Lalit Kishore

(In Civil Writ Jurisdiction Case No. 12503 of 2019)

For the Petitioner/s : Mr. Prashant Kumar
For the Respondent/s : Mr. Lalit Kishore

(In Civil Writ Jurisdiction Case No. 16021 of 2019)

For the Petitioner/s : Mr. Prashant Kumar
For the Respondent/s : Mr. Lalit Kishore



(In Civil Writ Jurisdiction Case No. 16277 of 2019)

For the Petitioner/s : Mr.Prashant Kumar

For the Respondent/s : Mr.Lalit Kishore
Mr. Sunil Kumar Mandal

(In Civil Writ Jurisdiction Case No. 16278 of 2019)

For the Petitioner/s : Mr.Arun Kumar

For the Respondent/s : Mr.Lalit Kishore
Mr. Sunil Kumar Singh
Mr. Rajvijay Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

3 08-08-2019 All these writ applications involve common question of fact and law and with the consent of the parties, all the writ applications are being disposed of by this common order.

Learned counsel appearing on behalf of the petitioners would submit that this Court has occasion to decide the similar issue in the light of the judgment of the Division Bench in C.W.J.C. No. 19046 of 2018. This Court has considered the principle decided by the Division Bench in C.W.J.C. No. 19046 of 2018 and disposed of the similar batch of writ applications in the following terms:-

“Considering the fact that there is no rule as to applicability of the judgment of the Division Bench in the matter of affiliation, the only issue is whether the petitioners on facts stands on similar footing or not?

Considering the aforesaid, batch of the writ applications are disposed of with a direction to the respondents to scrutinized the case of all the petitioners at the touch stone of the judgment



of the Division Bench in C.W.J.C. No. 19046 of 2018 within a maximum period of 15 days from the date of receipt/production of copy of this order and pass appropriate order in light of the judgment in C.W.J.C. No. 19046 of 2018. In case on scrutiny it is found that the petitioner's institution are similarly circumstanced same relief/benefit would be extended to the petitioners within the time frame indicated herein above.

With the aforesaid, all the writ applications stands disposed of.”

To maintain consistency, these writ applications are also disposed of in the similar terms. The relevant part of the order dated 16.7.2019 is quoted below:-

“Considering the fact that there is no rule as to applicability of the judgment of the Division Bench in the matter of affiliation, the only issue is whether the petitioners on facts stands on similar footing or not?

Considering the aforesaid, batch of the writ applications are disposed of with a direction to the respondents to scrutinized the case of all the petitioners at the touch stone of the judgment of the Division Bench in C.W.J.C. No. 19046 of 2018 within a maximum period of 15 days from the date of receipt/production of copy of this order and pass appropriate order in light of the judgment in C.W.J.C. No. 19046 of 2018. In case on scrutiny it is found that the petitioner's



institution are similarly circumstanced same relief/benefit wold be extended to the petitioners within the time frame indicated herein above.

With the aforesaid, all the writ applications stands disposed of.”

(Anil Kumar Upadhyay, J)

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