

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.5044 of 2018

Arising out of

Civil Writ Jurisdiction Case No.3110 of 2015

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Ramesh Sharma S/o Late Bhuneshwar Sharma, Resident of Maurya Vihar
Colony, Post Office/Police Station- Khagaul, District- Patna

... .. Petitioner/s

Versus

1. Sri Anurag Tripathi, the Secretary, Central Board of Secondary Education,
New Delhi.
2. Mrs. Satpal Kaur, the Assistant Secretary, Central Board of Secondary
Education, Regional Office, Patna (Bihar).

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar, Advocate

For the O P No. 1 : Mr. Vinay Krishna Tripathy, Advocate

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

ORAL JUDGMENT

Date : 01-10-2019

Heard learned counsel for the petitioner and learned
counsel for the Central Board of Secondary Education
(hereinafter referred to as the 'Board').

2. Despite direction of the Court to deposit Rs.
5,000/- in the Juvenile Justice Fund of the State Social Welfare
Department and receipt to be filed, no receipt has been filed till
date, for which there is no explanation. Let the same be done



today itself failing which the Board shall be liable to pay further cost of Rs. 10,000/- to be deposited in the Juvenile Justice Fund of the State Social Welfare Department within two weeks from today.

3. Coming to the merits of the matter, the Court finds that the stand taken in the show cause filed on behalf of opposite party no.1 detailing the requirement of Rule 69.1 of the examination Bye-laws of the Board which was existing at the time of passing of the order of the Writ Court dated 26.02.2015 in CJWC No. 3110 of 2015, as enumerated in paragraph no. 6 of the said show cause, not having been complied, the Board cannot be faulted for any non-compliance. However, if within three weeks from today, each and every requirement under Rule 69.1 of the examination Bye-laws of the Board is fulfilled, the authorities are required to take a decision in terms of the order dated 26.02.2015 passed in CWJC No. 3110 of 2015.

4. It goes without saying that if any formalities required on the part of the B D Public School, Buddha Colony, Patna with regard to providing of any document or forwarding of any application, the authorities of the School shall be duty bound to do the same within four working days of the petitioner approaching them with such request, upon the petitioner



complying with all the requirements/formalities.

5. The application stands disposed off in the
aforementioned terms.

(Ahsanuddin Amanullah, J)

Anjani/-

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