

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19492 of 2019

1. The Ad-hoc Committee of the Ramsakha Satyabhama Evening Inter College Munger, through its Convener, namely Dr. Moni Kumar Das, aged about 70 years, Sex- Male, Son of Late Nitto Ranjan Das, Resident of 202 AB, N.I. Road, Jamalpur, P.S. Jamalpur District Munger.
2. Prabhash Prasad Singh S/o Late Singheshwar Prasad Singh Principal, Ramsakha Satyabhama Evening Inter College, Munger.

... .. Petitioner/s

Versus

1. The Bihar School Examination Board (H.S.) Patna, through its Secretary.
2. The Chairman, Bihar School Examination Board (Higher Secondary) Patna.
3. The Secretary, Bihar School Examination Board (Higher Secondary) Patna.
4. The Dy.- Secretary, Bihar School Examination Board (H.S.) Patna.
5. The State of Bihar through the Principal Secretary, Education Department, Government of Bihar, New Secretariat, Patna.
6. The Director, Department of Secondary Education, Government of Bihar, New Secretariat, Patna.
7. The District Education Officer, Munger.
8. Dr. Gopal Pd. Yadav, The Principal, R.D. and D.J. College, Munger-cum-the then Convener, Ad-hoc Committee, Ramsakha Satyabhama Evening Inter College, Munger.
9. Dharendra Kumar S/o Munilal Yadav R/o Village- Shankarpur, P.S.- Mufasil Thana Munger, District- Munger.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. P.K. Sahi, Sr. Advocate Mr. Purushottam Kumar Jha, Advocate
For the State	:	Mr. Kameshwar Kumar, G.P. 17 Mr. Arbind Kumar, A.C. to G.P. 17
For the Respondent BSEB:		Mr. Satyabir Bharti, Advocate Mr. Gyan Shankar, Advocate

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 24-09-2019 Having regard to the fact that the adhoc committee has been replaced by another adhoc committee, the Court is of the considered view that adhoc cannot be replaced by another set of adhoc as adhocism is permissible only for a limited purpose and period, practicing adhocism is causing impediment in the proper administration of the institution in question. The



regulation provides for constitution of regular managing committee since the Board constituted one adhoc committee and replaced the same by another adhoc committee instead of constituting regular committee.

In the aforesaid circumstances, the Court is constrained to direct the Board to take appropriate decision for constitution of regular managing committee of the institution in accordance with affiliation regulation at the earliest, preferably within the period of 30 days from the date of receipt/production of a copy of this order.

If the regular managing committee is not constituted within the time indicated aforesaid, the management shall be taken over by the Sub Divisional Officer of Munger and he shall be entitled to manage the day to day affairs of the college in question until the regular managing committee is constituted.

Since this Court has not interfered with the constitution of the present Adhoc Committee, the Court is of the considered view that there is no point in issuing notice to the respondent Adhoc Committee as the adhoc committee cannot continue for unlimited period. The S.D.O.s shall continue for a period of only one month and thereafter the Secretary of the Board need to manage the affairs of the institution if regular



Managing Committee is not constituted.

With the aforesaid, the present writ application stands
disposed of.

(Anil Kumar Upadhyay, J)

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