

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.772 of 2021

Dr. Bhim Rao Ambedkar High School Nandpur, Dharhara Manjhi, Saran through its Secretary Shri Bhagavan Pandit @ Pandit Sri Bhagwan Jyotishi @ Lal Baba aged About 60 Years (M) Son of late Gulajar Pandit resident of Village-Nandpur, Dharhara, Police Station-Manjhi, District-Saran (Chapra).

... .. Petitioner/s

Versus

1. Bihar School Examination Board, Patna through its Chairman.
2. The Secretary, Bihar School Examination Board, Patna.
3. The State of Bihar through the Principal Secretary, Education Department, Government of Bihar, Patna.
4. The Director, Secondary Education, Bihar, Patna.
5. The District education Officer, Saran, Chapra.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary, Advocate
For the BSEB : Mr. Sunil Kr. Mandal, Advocate

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
ORAL JUDGMENT

Date : 23-11-2021

Heard the learned counsels for the parties.

2. In the instant petition, petitioner has sought for following reliefs:

“(i) For issuance of an appropriate writ in the nature of mandamus for commanding and directing the respondent authorities concerned to grant affiliation to Dr. Bhim Rao Ambedkar High School, Nandpur, Dharhara Manjhi, Saran (petitioner) as the school fulfill the conditions for affiliation in terms of Rule 3 of the Bihar School Examination Board (senior secondary) Affiliation Bye-Laws and under section 10C of the Bihar School Examination Board (Amendment) Act,



2007 (Bihar Act, 20 of 2007).

(ii) For issuance of an appropriate writ in the nature of mandamus for commanding and directing the respondent authorities to return/refund the advance amount of Rs. 90,000/- deposited by the petitioner through Bank draft for grant of affiliation to Dr. Bhim Rao Ambedkar High School, Nandpur, Dharhara, Manjhi, Saran before the Bihar School Examination Board, Patna, if the affiliation is not granted.

(iii) For issuance of an appropriate writ in the nature of mandamus for commanding and directing the respondent authorities concerned to dispose off the representation filed by the petitioner with reasoned and speaking order in terms of the order dated 07.01.2013 passed by this Hon'ble High Court in C.W.J.C. No. 1034 of 2021.

(iv) For issuance of any other appropriate writ/writs, order/orders, direction/directions for which the writ petitioner will be found entitled in the facts and circumstances of the case.”

3. The Respondent-Board has not taken decision on the petitioner's grievance in respect of entitlement of affiliation to Dr. Bhim Rao Ambedkar High School, Nandpur, Dharhara, Manjhi, Saran.

4. The Respondent-Board is hereby directed to take note of the petitioner's grievance and if the petitioner fulfills the requisite ingredients for extending affiliation in terms of the statutory rule, the same shall be examined and considered in granting affiliation to the petitioner. In the event, petitioner does



not fulfill any of the criteria or ingredients to grant affiliation, in such circumstance, speaking order shall be passed by the Respondent- Board and communicated to the petitioner. The above exercise shall be completed within a period of three months from the date of receipt of copy of this order.

With the above observations, the instant writ petition stands disposed of.

(P. B. Bajanthri, J)

rakhi/-

AFR/NAFR	
CAV DATE	
Uploading Date	29.11.2021
Transmission Date	

