

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.1090 of 2018

In
Civil Writ Jurisdiction Case No.8258 of 2017

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Dayanand Vidyalaya + 2, Mithapur, Patna through its Principal-cum-Secretary of the Managing Committee of the School namely Satyendra Narayan Singh, S/o Sri Mahesh Prasad Singh, Resident of 102, Shailja Apartment, N.Y./24, Jhunjhun Mahal Road, Gardanibagh, P.S.-Gardanibagh, Town and District-Patna.

... .. Appellant

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Govt. of Bihar, Patna
2. The Director (Secondary Education), Education Department, Govt. of Bihar, Patna.
3. The District Education Officer, Patna.
4. Sri Bhai Birendra, S/o Late Rajendra Prasad Rai, Resident of Village and P.O.-Mahinava, P.S.-Maner, District-Patna.
5. Ramendra Kumar Gupta, Son of Late Harish Chandra Prasad, Resident of Village-Arya Sadan, Bibiganj, Dalwar Road, P.O.-Danapur Cantt. P.S.-Danapur, Dist- Patna Intervener - Applicant
6. Bihar Rajya Arya Pratinidhi Sabha, Patna through its President (Pradhan) Sri Sanjeev Chaurasia, having its registered office at Sri Munishwaranand Bhawan, Naya Tola, P.S. -Kadamkuan, Town & District- Patna.

... .. Respondent/s

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Appearance :

For the Appellant/s :

For the Respondent/s : Mr. Priyadarshi Matri Sharan, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR



ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

5 18-08-2021 The petitioner has prayed for the following relief/s :

1. That the present memorandum of appeal is directed against the Judgement dated 22.06.2018 passed in C.W.J.C. No.- 8258 of 2017 by Hon'ble Mr. Justice Chakradhari Sharan Singh whereby his lordship has been pleased to direct constitution of Adhoc managing committees for the schools run under the writ petitioner no.-01/respondent no.-06 including the appellant school, ignoring the fact that the appellant school is a minority institution running under its own bye-laws wherein already three govt. representatives are there in the managing committee and therefore, any outside interference would amount to violation of protection under Article-30(1) of the Constitution of India.

On 31st July, 2021, Shri Chandra Shekhar Singh, Advocate, had filed a mention memo seeking permission to withdraw the present appeal for the reason that the grievance of the appellant does not survive. The mention memo prepared by the Registry reproduced as under :-

16. // //	Chandra Shekhar Singh 7992374093	Dayanand Vidyala +2 Mithapur, Patna through its	LPA No. 1090/2018	That as per appellant grievance is now not surviving, thus appellant is willing	To be Listed for withdrawal
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As such the present appeal is disposed of in terms of
the prayer made in the mention memo.

(Sanjay Karol, CJ)

(S. Kumar, J)

Sujit/Ashwini/

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