

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20090 of 2021

Chandeshwar Nath Chaubey @ C.N. Chaubey, S/o Late Baidyanath Chaubey,
Resident of Village-Pyarepur, P.S.-Thawe, District-Gopalganj, presently
Principal of Ajeet Kumar Singh Inter College, Puraina, PaltuHata, P.S.-
Barhariya, Dist.-Siwan ... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Department of Education, Govt. of Bihar, New Secretariat, Patna.
2. The Bihar School Examination Board, through its Secretary, Budh Marg, Patna.
3. The Chairman, Bihar School Examination Board, Budh Marg, Patna.
4. The Secretary, Bihar School Examination Board, Budh Marg, Patna.
5. The Director (Education), Bihar School Examination Board, Budh Marg, Patna.
6. The Collector Siwan, District-Siwan.
7. The Regional Deputy Director, Saran Division, Chapra.
8. The District Education Officer, Siwan.
9. The District Programme Officer (Secondary Education), Siwan.

... Respondents

Appearance :

For the Petitioner : Mr.Rajesh Kumar Pandey, Adv.
For the Respondents : Mr.Madanjeet Kumar (Gp20)

**CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH
SHARMA**

ORAL ORDER

2 14-10-2022 Heard the parties through virtual mode.

The petitioner by way of this writ petition has prayed
as under :

“A writ in the nature of certiorari or any other appropriate writ for quashing the letter dated 06.08.2021 contained in Memo No. BSEB/SS/Coll-Estab/1075/D-2021 issued by the Respondent No. 5, whereby and where under he has requested Respondent No. 6 to submit an enquiry report on the basis of a complaint given by one Surendra Singh in

respect of constitution of governing body/managing committee of Ajeet Kumar Singh Inter College, Puraina, Paltu Hata, District Siwan.”

Learned counsel appearing before the Court seeks adjournment. However, this Court finds that the writ petition is pending since 2021 without notices being issued in the case and it has come-up now after almost one year.

Looking to the prayer made by the petitioner, this Court finds that the petitioner seeks to challenge a direction issued by the Director, Education, Bihar School Examination Board, Buddha Mag, Patna, to the Collector, Siwan, for submitting an enquiry report relating to a complaint made by one complainant with respect to constitution of the governing body of the managing committee of Ajeet Kumar Singh Inter College, Puraina, Paltu Hata, District Siwan. It has been stated in the petition that there can not be an enquiry.

However, this Court finds that the petitioner is shying from an enquiry being conducted with regard to the manner in which the governing body of the managing committee has been formed in terms of Chapter 5A of the Regulations 2013. The formation of the governing body of the managing committee of a college can be examined by the Director and for the said purpose he can always issue direction to the Collector for the

said purpose. The writ petition is found to be wholly frivolous.

The writ petition is therefore dismissed. No costs.

(Sanjeev Prakash Sharma, J)

Shamshad/-
Item No. 4

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