

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16263 of 2017

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Satish Chandra Mishra, Son of Sri Surya Kant Mishra, resident of House No. 212, Indra Nagar, P.S. Rajap-ur, Patna, P.S. Buddha Colony, District- Patna.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary, Education Department, Government of Bihar, Patna.
3. The Special Director (Secondary Education), Government of Bihar, Patna.
4. The Joint Director (Secondary Education), Government of Bihar, Patna.
5. The District Education Officer, Sitamarhi.
6. The District Programme Officer (Establishment), Sitamarhi.
7. The Chairman, Bihar Sanskrit Siksha Board, Patna.
8. The Secretary, Bihar Sanskrit Siksha Board, Patna.
9. Sri Vinay Kumar, Son of Sri Nawal Kishore Prasad, resident of Village- Mahanthi Sthan, Purani Bazar, Ward No. 11, Sitamarhi, at present working as teacher in Gurukul Sanskrit High School, Ramruch Nagar, Bargania, Sitamarhi.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Shree Kant Pandey, Advocate
For the BSSB	:	Mr. Satyam Shivam Sundaram, Advocate
		Mr. Shashank Shekhar Jha, Advocate
For the State	:	Mr. Madhukar Mishra, AC to SC-16

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL JUDGMENT

Date : 31-10-2023

1. Heard learned counsel for the parties.
2. The petitioner has prayed for quashing the order dated 30.10.2017 passed in Appeal no.2 of 2017 whereby the appeal preferred by the petitioner against the order dated 27.11.2014 of the Bihar Sanskrit Shiksha Board was dismissed.
3. Bereft of unnecessary details, it may be stated here



that by order dated 27.11.2014 (Annexure-2), the respondent no.9 was appointed as Incharge Headmaster of the school concerned. The challenge to the said appointment by the petitioner was rejected vide order dated 30.10.2017 (Annexure 4) passed in Appeal Case no.2 of 2017 by the Joint Director (Secondary Education), Education Department, Government of Bihar against which the instant application has been preferred.

4. At the outset, learned counsel appearing for the respondent- Bihar Sanskrit Shiksha Board referring to Annexure-9 to the supplementary affidavit filed on behalf of the petitioner submits that by order contained in memo no.915 dated 24.5.2019 issued under the signature of the Secretary, Bihar Sanskrit Shiksha Board, Patna, the petitioner has once again been made the Incharge Headmaster and as such the instant writ application has become infructuous.

5. At this stage learned counsel for the petitioner insists that the order impugned being illegal should also be set aside.

6. Having heard learned counsel for the parties and especially in view of the order dated 24.5.2019 passed by the Secretary, Bihar Sanskrit Shiksha Board brought on record as Annexure-9 to the supplementary affidavit whereby the petitioner has been once again made Incharge Headmaster of the



school in question, in the opinion of this Court, the writ application has become infructuous and is as such disposed of.

(Partha Sarthy, J)

Shiv/-

AFR/NAFR	
CAV DATE	N/A
Uploading Date	02.11.2023
Transmission Date	N/A

