

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11791 of 2023

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Bikash Kumar Verma @ Bikash Kumar, S/o Late Abadhesh Kumar Verma,
R/o Saryug Bhawan, Ward No. 11, Mohanpur, P.S.- Samastipur, District-
Samastipur.

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Patna.
2. The Director, Secondary/Higher Secondary, Education Department, Government of Bihar, Patna.
3. The Chairman/ Director, Bihar School Examination Board (Senior Secondary), Budh Marg, Patna.
4. The Secretary, Bihar School Examination Board (Senior Secondary), Budh Marg, Patna.
5. The Principal, Saryug College, Chitragupta Nagar, Mohanpur, P.S. and District- Samastipur.

... .. Respondents

with

Civil Writ Jurisdiction Case No. 12738 of 2023

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Rakesh Kumar, S/o Late Bhubnesh Kumar Verma, R/o Ward No. 11,
Kayastha Tola, Mohanpur, Samastipur, Bihar-848101

... .. Petitioner

Versus

1. The State of Bihar through its Principal Secretary, Department of Education, Govt. of Bihar.
2. Chairman, Bihar School Examination Board, Buddha Marg, Patna.
3. Secretary, Bihar School Examination Board, (Senior Secondary) Buddha Marg, Patna.
4. Director, (Academic) Secondary/Higher Secondary Education, Bihar School Examination Board, Patna.
5. Regional Deputy Director, Academic, Darbhanga Division, Darbhanga.
6. Saryug College, Chitragupta Nagar, Mohanpur, District- Samastipur through its Principal-Cum-Secretary.
7. Shri Madan Pandey, Principal-Cum-Secretary, Saryug College, Chitragupta Nagar, Mohanpur, District- Samastipur.
8. Bikash Kumar Verma, S/o Late Awadesh Kuamr Verma, R/o Saryug Bhawan, Ward No. 11, Mohanpur, P.S. Samastipur, District- Samastipur, Bihar.
9. Shri Shrvan Kumar Verma @ Savan Kumar Verma, Principal-in-Charge, Saryug College, Chitragupta Nagar, Mohanpur, District- Samastipur.

... .. Respondents

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Appearance :

(In Civil Writ Jurisdiction Case No. 11791 of 2023)



For the Petitioner : Mr. Binod Murari Mishra, Advocate
Mr. Prem Kumar, Advocate
For the Respondent : Mr. Hitesh Suman, AC to SC- 13
(In Civil Writ Jurisdiction Case No. 12738 of 2023)
For the Petitioner/s : Mr. Prashant Kumar, Advocate
For the Respondent/s : Mr.Subhash Chandra Mishra, SC- 16

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 26-09-2023 Both the writ applications are connected to each other, hence, on the request of the parties, these writ applications have been taken up together and are being disposed of by this common order.

2. Heard learned counsel for the petitioners and learned counsel for the State.

3. Petitioner in CWJC No. 11791 of 2023 is seeking a direction to the concerned respondents to take a decision to appoint/declare the petitioner a donor member of the Saryug College, Chitragupta Nagar, Mohanpur in the district of Samastipur in the light of the agreement made between the petitioner and the Government at the time of donation of the land upon which the said College is situated.

4. In CWJC No. 12738 of 2023, a prayer has been made to set aside the Memo No. 33 dated 04.02.2023 issued by the Regional Deputy Director (Academic) (Respondent No. 5).

5. It appears that earlier also the petitioner in CWJC No. 11791 of 2023 had moved this Court in CWJC No. 12393



of 2023 which was withdrawn unconditionally.

6. Learned counsel for the petitioner in CWJC No. 11791 of 2023 submits that from Letter No. 33 dated 04.02.2023 (Annexure '3') written by the Regional Deputy Director (Education/Academic), Darbhanga Division, Darbhanga to the Director (Education/Academic) of the Bihar School Examination Board (hereinafter referred to as the 'Board'), it would appear that the Regional Deputy Director was earlier directed to inquire into the complaint filed by one Madan Pandey (Principal-cum-Secretary) and Shree Sawan Kumar Verma (In-charge, Principal) and they were directed to appear with the records. The Regional, Deputy Director has in his communication to Director (Education/Academic) of the Board held that from the records, it appears that the College building and the plain field are situated on the land provided by Sri Awadhesh Kumar Verma and Sri Vikas Kumar Verma and they are in the list of maximum cash donors.

7. Learned counsel submits that the matter is still pending with the Director (Education/Academic) of the Board.

8. Having regard to the aforementioned submissions, this Court directs the Director (Education/Academic) of the Board to look into the grievance of the petitioners, consider the



report of the Regional Deputy Director, Education, Darbhanga Division as contained in Annexure '3' to the writ application in CWJC No. 11791 of 2023, hear the parties and take an appropriate decision in the matter within a period of three months from the date of receipt/communication of a copy of this order.

9. So far as the claim of the petitioner in CWJC No. 11791 of 2023 based on an agreement is concerned, if so advised, he is also at liberty to enforce the agreement in an appropriate proceeding before the competent court of law.

10. So far as the grievance of the petitioner in CWJC No. 12738 of 2023 is concerned, the same will be subject matter of discussion before the Director (Education/Academic).

11. This Court has already directed above that the Director (Education/Academic) of the Board shall give appropriate hearing to the parties.

12. Both the writ applications are disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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