

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.18935 of 2019**

Vishun Roy College Kiratpur Rajaram, Bhagwanpur, Vaishali through its President Rajdeo Roy, aged about 74 years (Male), Son of Vishun Roy, Kiratpur Rajaram, Bhagwanpur, District- Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Education Department, Govt. of Bihar, Patna.
2. The Director, Secondary Education, Patna.
3. Bihar School Examination Board (Senior Secondary) Buddha Marg, Patna through its Secretary.
4. The Chairman, Bihar School Examination Board (Senior Secondary), Buddha Marg, Patna.
5. The Secretary, Bihar School Examination Board (Senior Secondary), Buddha Marg, Patna.

... .. Respondent/s

**Appearance :**

|                      |   |                                                          |
|----------------------|---|----------------------------------------------------------|
| For the Petitioner/s | : | Mr. Tej Bahadur Singh, Sr. Adv.<br>Mr. Sunil Kumar Singh |
| For the Respondent/s | : | Smt. Binita Singh ( Sc28 )                               |

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA**  
**ORAL ORDER**

4      01-05-2023                      The petitioner has approached this Court against the order dated 24.04.2019 (Annexure-1) passed by the Bihar School Examination Board (hereinafter referred to as the “Board”) by which affiliation granted in favour of Vishun Roy College, Kiratpur Rajaram, Bhagwanpur, Vaishali has been withdrawn and College Code No. 33014 has also been set aside by the Board.

Mr. Tej Bahadur Singh, learned senior counsel appearing for the petitioner- College referring to the Regulation



15(4) of the Bihar School Examination Board (Senior Secondary) Affiliation Regulation, 2011 [for short “Regulation 2011”] submits that it was incumbent upon the Board to provide adequate time and opportunity to the Management of the School which has been served with the show- cause notice upto a maximum of one year time for adequate compliance / removal of the defects. Pursuant to the show- cause issued by the Board at Annexure-6 to this writ application, the petitioner-College submitted its reply vide Annexure-7 specifically invoking the provisions of Regulation 15 (4) of the Regulation, 2011. Learned senior counsel further submits that as of today all the deficiencies pointed out by the Inspecting Team have been removed by the College and now the College fulfills all the criteria fixed by the Board for grant / revival of affiliation.

On the other hand, learned counsel for the Board submits that after considering the show cause of the petitioner and going through the report of the Inspecting Team the Board had arrived at a decision that the petitioner- College was not fulfilling the claims for revival of affiliation.

However, in view of the submission made by the petitioner-College regarding removal of all the deficiencies and fulfillment of the norms, the Board will get the petitioner-



College inspected by a fresh Inspecting Team for which the petitioner has to deposit requisite inspection fee as applicable.

After having heard learned counsel for the parties and taking into consideration the nature of dispute, I direct the Board to constitute a fresh Inspecting Team for verification / inspection of the petitioner -College with further direction to the petitioner to deposit the requisite fee as demanded by the Board within time. After inspection and submission of enquiry report by the Inspecting Team, the Board is directed to take a fresh decision regarding revival / affiliation of the petitioner-College within a period of three months.

With the aforesaid observation and direction this writ application is disposed of.

**(Anil Kumar Sinha, J)**

praful/-

|   |  |  |  |
|---|--|--|--|
| U |  |  |  |
|---|--|--|--|

