

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3219 of 2019

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Mrs. Rita Kumari W/o Birendra Kumar Singh Presently working as Principal-cum- Secretary, Hriday Prasad Munshi Lal Higher Secondary (plus 2) School, Lalganj, District- Vaishali.

... .. Petitioner/s

Versus

1. The Bihar School Examination Board And Ors (Higher Secondary), through the Secretary, Buddh Marg, Patna.
2. The Chairman, the Bihar School Examination Board (Higher Secondary), Buddh Marg, Patna.
3. The Secretary, the Bihar School Examination Board (Higher Secondary), Buddh Marg, Patna.
4. The State of Bihar through the Principal Secretary, Department of Education, Government of Bihar, District- Patna.
5. The Principal Secretary, Department of Education, Government of Bihar , Vikas Bhawan, District- Patna.
6. The Director, Secondary Education, Department of Education, Vikas Bhawan, Government of Bihar, District- Patna.
7. The District Education Officer, Vaishali, District- Vaishali.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Avanindra Kumar Jha
For the Respondent/s : Mr. Madanjeet Kumar (Gp20)

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL JUDGMENT

Date : 06-08-2024

Heard the parties.

2. The petitioner has approached this Court for following reliefs:-

(i) To hold and declare that, in view of the “Affiliation Bye Laws” 2011 & the Notifications of the Bihar School Examination Board, (Higher Secondary), published vide Press Communiqué No.22/2012 dated 02.06.2012 (in Hindi Daily



News Paper “Aaj”), continuance and reiteration of order of cancellation of the Affiliation & Code of Hriday Prasad Munshi Lal (+2) School, Lalganj, Vaishali vide Order dated 08.10.2018 as contained in Letter No.909 D-18 (Annexure-16) that too without considering the requests/submissions and plea of the petitioner and without granting any reasonable time to the Management of the Institution for adequate compliance of Affiliation Bye-Laws” 2011 and for removal of defects if any, is in teeth of order dated 18.09.2017 in C.W.J.C. No.9391 of 2017 and analogous cases and as such highly contemptuous, arbitrary, discriminatory, malafide, malicious and violative of Article 14, 16 and 21 of the Constitution of India.

(ii) For quashing the order dated 08.10.2018 as contained in Letter No.909D-18 (Annexure-16) whereby and where under cancellation of the Affiliation & Code of H.P.M.L. (+2) School, Lalganj, Vaishali has been reiterated without complying the order dated 18.09.2017 in CWJC No.9391 of 2017 and analogous cases.

(iii) For a direction to the respondents concerned to restore the Affiliation and Code of the H.P.M.L (+2) School, Lalganj, Vaishali, forthwith so that petitioner’s school may take admission of students in new academic session.

(iv) For a direction to the respondents concerned to grant at least one year time to the management of HPML (+2) School, Lalganj, Vaishali for



*adequate compliance of Affiliation Bye-Laws”
2011 and for removal of defects if any.*

*(v) For grant of any other relief to which the
petitioner may be entitled to in the facts and
circumstances of this case.*

3. Considering the prayer of the petitioner, petitioner is directed to file a detailed representation along with a copy of this order and other documents in support of her claim, before the respondent no.3 within a period of two weeks and the respondent no.3 is well advised to consider the case of the petitioner and dispose of the representation of the petitioner after affording an opportunity of personal hearing or through her counsel and pass a reasoned and speaking order in accordance with law within six weeks from the date of filing of such representation by the petitioner.
4. With the aforesaid direction, this writ application stands disposed of.

(Anjani Kumar Sharan, J)

shikha/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	08.08.2024
Transmission Date	NA

