

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11491 of 2022

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1. Boidhu Lal Son of Late Mishri Lal, resident of Village - Chorasua, P.S. - Giriyak, District - Nalanda.
 2. Vijay Kumar, son of Sri Bhola Dome, resident of Village- Ghora Katora, P.S. - Giriyak, District - Nalanda.

... .. Petitioner/s

Versus

1. Central Board of Secondary Education (C.B.S.E.) through the Chairman, Shiksha Kendra-2, Community Central Preet Vihar, New Delhi.
2. The Secretary, Central Board of Secondary Education (C.B.S.E.), Shiksha Kendra -2, Community Central Preet Vihar, New Delhi.
3. The State of Bihar through the Principal Secretary, Human Resources Department, Govt. of Bihar, Patna.
4. District Education Officer, Biharsharif, Nalanda.
5. The General Secretary, D.A.V. CMC, Chitragupta Road, New Delhi - 110055.
6. The Chairman, D.A.V Public School, Power Grid Campus, Biharsharif, Nalanda.
7. The Manager, D.A.V. Public School, Power Grid Campus, Biharsharif, Nalanda.
8. The Head master, D.A.V Public School, Power Grid Campus, Biharsharif, Nalanda.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Deepak Kumar Sinha, Advocate
For the Respondent/s	:	Mr. Jitendra Kr. Roy 1 (Sc13)
		Mr. U.K. Singh, AC to SC- 13
For the Resp Nos. 1&2	:	Mr. Vijay Krishna Tripathy, Advocate
For the D.A.V. Public School:		Mr. Anil Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE NANI TAGIA
ORAL ORDER

5 04-09-2024 Heard learned counsel for the parties.

2. The petitioners, who are the sweepers (non-teaching staff) in the D.A.V Public School, Power Grid Campus, Biharsharif, Nalanda, have filed this writ petition, raising grievances regarding arrears of salary, MACP, HRA, TA, DA,



Salary Allowance, Medical Allowance, LTC, etc as per the pay revision with effect from 2006 onwards.

3. The respondents have filed a counter affidavit, wherein, it has been stated that the D.A.V Public School, Biharsharif, Nalanda is a private school. The petitioners have not filed any rejoinder to the counter affidavit filed by the respondents, wherein, stand has been taken that the D.A.V Public School, Biharsharif, Nalanda is a private school.

4. Under the circumstances, since the respondent-D.A.V Public School, Biharsharif, Nalanda is found to be a private institution, not coming within the ambit of Article 12 of the Constitution of India, the writ petition is hereby dismissed as not maintainable.

5. The petitioners, however shall be at liberty to approach the appropriate authority for redressal of the grievances, raised in this writ petition.

(Nani Tagia, J)

Siddharth
Sagar/-

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