

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2142 of 2017

Arvind Kumar Tiwary S/o Sri Buchun Tiwary, Assistant Teacher, Bal Vikash Vidyalaya, Sasaram, Rohtas, R/o- Village- Rampur, P.S.- Sabargarh, District- Kaimur.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary, Human Resources Development Department, Government of Bihar, Patna.
3. The Director, Secondary Education, Human Resources Development Department, Government of Bihar, Patna
4. The Directorate of Public Grievances, Government of India, 2nd Floor, Sardar Patel Bhawan, Sansad Marg, New Delhi through its Secretary
5. The Central Board of Secondary Education C.B.S.E., Human Resources Development Department through its Secretary, Siksha Kendra 2, Community Centre, Preet Vihar, Vikash Marg, Delhi
6. Bal Vikas Vidyalaya, Managing Committee, Sasaram, Rohtas, Bihar through its School Manager.
7. The Principal, Bal Vikash Vidyalaya, Sasaram, Rohtas, Bihar.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Radha Mohan Pandey, Advocate
For the Respondent/s	:	Mr.Madanjeet Singh- GP 20
For respondent no. 5	:	Mr.V.K. Tripathy, Advocate
For respondents no.6&7	:	Mr.Amrish Kumar, Advocate
	:	Mr.Krishna Chandra Jha, Advocate

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

8 24-09-2024 1. Heard learned counsel for the parties concerned.

2. The petitioner has filed the present writ application for quashing the letter dated 17.05.2014, issued by Manager, Bal Vikas Vidyalaya, Sasaram, by which, the service of the petitioner has been terminated.

3. Learned counsel for the respondents including respondents no. 6 and 7 submitted that the writ application filed by



the petitioner is not maintainable, in view of the fact that the petitioner has challenged the decision of the Managing Committee of the Private School. No writ may lie against the Private School or any decision taken by its Managing Committee.

4. Referring to the judgment reported in **2013(1) PLJR 321** of this Court, learned counsel submits that in a case relating to D.A.V. School, it has been held that D.A.V. is a Private Institution and is not a State within the meaning of Article 12 of the Constitution of India. Learned counsel further submits that petitioner may raise his grievance before the District Teacher Appellate Authority, as per **Section 2(7) of the Bihar State School Teachers and Employees Disputes Redressal Rules, 2015**.

5. Having heard learned counsel for the parties and taking into consideration the fact that the petitioner has challenged the order of termination passed by the Managing Committee of the Private School, which is not a State within the meaning of Article 12 of the Constitution of India, the writ application is dismissed as not maintainable, however with liberty to the petitioner to approach the District Teachers Appellate Authority for redressal of his grievance.

(Anil Kumar Sinha, J)

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