

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12478 of 2024

Sudarshanachary @ Sudarshnachary son of Damodarchary Resident of Village Bad, P.S. - Karakat (Gorari) District - Rohtas (Sasaram). Presently Mahanath of Jagarnath Math, Amarpur, Village- Amarpur, P.S. - Rajpur, District- Rohtas (Sasaram).

... .. Petitioner/s

Versus

1. The State of Bihar through Additional Principal Secretary Education Department, (Bihar) New Secretariat, Patna, Pin-
2. Director, Education Department, (Bihar) New Secretariat, Patna, Pin -
3. The Chairman, Sanskrit Shiksha Board, Bihar, Patna Gardanibag, Chitkohra.
4. Secretary, Sanskrit Shiksha Board, Patna, Gardanibag, Chitkohra.
5. District Education Officer, Rohtash (Sasaram).
6. District Project Officer, Rohtash (Sasaram).
7. Secretary (at present) Kalavati Devi Management Committee W/o Ragnath Tiwary, Related to Madhav Primary cum Middle School, Durekhap, P.S. - Nasriganj, District - Rohtas.
8. Rajiv Mishra Presently he is Head Master of Madhav Primary cum Middle School, Durekhap, P.S. - Nasriganj, District - Rohtas.
9. Ankit Anand, S/o Sanjay Kumar Iswar, Village and P.O. - Bharya, P.S. - Baswara, District - Begusarai, At present he is Assistant teacher in Madhav, Primary cum Middle School Darekhap, P.S. - Nasriganj, District- Rohtash.
10. Rajesh Kumar Tiwary, S/o Ragnath Tiwary, Village- Darekhap, P.S. - Nasriganj, District - Rohtas, At present he is Assistant teacher in Madhav, Primary cum Middle School, Darekhap, P.S. - Nasriganj, District - Rohtash.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Binayak Kumar Shrivastav, Adv.
For the State	:	Mr. Sajid Salim Khan, SC-25
For the Board	:	Mr. S.S.Sundaram, Adv.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 22-08-2024 The present writ petition has been filed seeking the following reliefs:-

“1(i). For issuance of writ of mandamus to direct the respondents to consider that the appointment of respondent No. 9 and 10, Ankit



Anand and Rajesh Kumar Tiwary, are totally illegal, not recommended by the Management Committee, constituted on 08/10/12 and approved by the Board, inasmuch as the said Committee did not recommend the name of respondents No. 9 and 10, however, by forging the signature of the Management Committee Members, the appointment of Respondents No. 9 and 10 was made in the said School, hence the appointment of respondents No. 9 and 10 be cancelled.

(ii). For issuance of appropriate writ/order direction to respondents for constituting fresh/new Management Committee in place of existing Management Committee which has been formed against the provision of law.

(iii). For issuance of appropriate writ/order direction to respondents to consider that Ex-Head Master of said School, namely, Rang Nath Tiwari, participated in illegal/wrong appointment of his son, Rajesh Kumar Tiwary (Respondent No-9 and 10), as he was the then Assistant Teacher to H.M in the said School and appointment has been made in connivance of Head Master of that School and other officers.

(iv). For issuance of writ of mandamus to direct the respondents to consider that as per deed dated 02.08.1986, Mahant of Jagarnath Math must be secretary in Management Committee,



but at present, there is no seat of secretary for Mahant.

(v). For issuance of appropriate writ/order direction to consider death certificate of Late Ram Prapan Ramnuj, issued by the Government of Bihar, on 14/01/2020, who was mahant of Jagrnath Math and also secretary, earlier in the Management Committee.

(vi). For issuance of appropriate writ/order/direction to respondents to consider certificate, issued by Mukhiya Barna, on 03/08/2020, in which petitioner participated in cremation of dead body of Ram Prapan Ramanuj and after death of Mahanth, petitioner has been working as Mahanth of said Math.

(vii). For issuance appropriate writ/order/direction to consider that managing committee approved by Sanskrit Board, dated 05.02.2013, vide memo No. 405, in which there were seven members, did not recommend the name of respondent No. 9 and 10.

(viii). For issuance of appropriate writ for commanding the respondents to consider an application, given by the President of Committee to District Education officer, Rohtas, on 11/05/2024.

(ix). For issuance of appropriate writ/order direction to the respondents to consider an application, given to Secretary (Sanskrit Board) by Head Master, Rajiv Mishra, on 27.05.2024



in which everything is stated about illegality of School.

(x). For issuance of appropriate writ for commanding the respondents to consider that while making the aforesaid appointment, no reservation policy was considered in the year, 2020 and while only one post was sanctioned, two appointments were made.

(xi). For issuance of appropriate writ for commanding the respondents to consider that the Managing Committee, constituted on 27/05/24, vide memo No. 68, issued by the Sanskrit Board, is against the provisions of the Board and also against Math conditions, who donated land for school.”

2. After some arguments, the learned counsel for the petitioner seeks not to press the present writ petition, however, seeks liberty on behalf of the petitioner to avail such other alternative remedies as are otherwise available under the law. Liberty, so sought, is granted.

3. Accordingly, the present writ petition stands dismissed.

(Mohit Kumar Shah, J)

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