

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.460 of 2023
In
Civil Writ Jurisdiction Case No.654 of 2023

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Bhushan Ram Son of Late Madan Ram, Resident of Village- SukhaShan
Ansh, P.S.- Kishanpur, District- Supaul.

... .. Appellant/s

Versus

1. The State of Bihar through the Principal Secretary, Primary Education, Bihar, Patna.
2. The Principal Secretary, Primary Education, Bihar, Patna.
3. The Director, Primary Education, Bihar, Patna.
4. The Special Director, Secondary Education, Bihar, Patna.
5. The Bihar Sanskrit Education Board, Patna through its Chairman.
6. The Chairman, Bihar Sanskrit Education Board, Patna.
7. The Secretary, Bihar Sanskrit Education Board, Patna.
8. The District Magistrate, Supaul.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Ratan Kumar, Adv
For the Respondent/s : Mr. Sarvesh Kr. Singh, AAG-13

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

5 23-09-2025 Core issue involved in the present *lis* is whether appellant is entitled to recognition to his school or not? At the earliest point of time for want of necessary infrastructure available to the school, request for recognition was rejected on 27.08.2019, it was subject matter of litigation in CWJC No. 22620 of 2019 dated 09.12.2019 (**Bhusan Ram Vs. the State of Bihar & Ors.**) Thereafter, respondents have passed afresh order on 07.10.2021 *vide* Annexure 13 to the writ petition. The same



has not been challenged by the petitioner, on the other hand, once again he has challenged the earlier letter dated 27.08.2019 *vide* Annexure- A/7 to the writ petition. In this backdrop, learned Single Judge has rejected CWJC No. 654 of 2023 dated 03.02.2023.

2. Perusal of the records, it is crystal clear that appellant's school has not provided infrastructure as per the State Govt. Policy for the purpose of awarding recognition to the School. That apart the petitioner has not challenged the validity of communication dated 07.10.2021 *vide* Annexure- 13 to the CWJC No. 654 of 2023 dated 03.02.2023. In the absence of challenged to the order dated 07.10.2021 in CWJC No. 654 of 2023, the appellant has not made out a case so as to interfere with order of learned Single Judge dated 03.02.2023 passed in CWJC No. 654 of 2023. Accordingly, the present LPA stands dismissed.

3. Dismissal of the present LPA would not be a hurdle for the appellant to provide all necessary infrastructure to the school which is required to be recognized by the government. After due providing infrastructure to the school with reference to the policy decision of the State Government. Thereafter, he is hereby directed to approach the concerned authority in seeking



recognition. If the aforementioned action is taken by the appellant, in that event, the concerned authority is hereby directed to inspect the appellant's school within a period of three months from the date of receipt of petitioner's afresh application for recognition of school. Consequently, the authorities are hereby directed to proceed strictly in accordance with their policy decision.

4. With the above observation, the present LPA No. 460 of 2023 stands dismissed.

5. At this stage, learned counsel for the appellant is seeking to waive off the cost imposed by the learned Single Judge in its order dated 03.02.2023 passed in CWJC No. 654 of 2023. Award of cost has been modified from Rs. 20,000 (Twenty Thousand) to Rs. 10,000 (Ten Thousand). Cost shall be remitted in the Lawyers' Association Welfare Benevolent Fund, Indian Bank, Branch-LNMI, Bailey Road, Patna, IFSC No. IDIB000L501 having Bank Account No.7801893276 within a period of three months.

(P. B. Bajanthri, CJ)

(Alok Kumar Sinha, J)

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