

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5878 of 2020

Dr. Upendra Prasad S/o Late Basudeo Prasad Mahto, Resident of Village-Madhura, Deep East, Post-Harbhangha, P.S.-Lakhnaur, District-Madhubani.

... .. Petitioner/s

Versus

1. Bihar School Examination Board, (Higher Secondary) through its Secretary, Budha Marg, Patna-800001.
2. The Chairman, Bihar School Examination Board (Higher Secondary),) Budha Marg, Patna-800001.
3. The Secretary, Bihar School Examination Board (Higher Secondary), Budha Marg, Patna-800001.
4. The Education Director, Bihar School Examination Board (Higher Secondary), Budha Marg, Patna-800001.
5. Basudeo Prasad Mahto Kishan Inter College Madhura through its Professor In-charge-cum-Ex-Officio Secretary, Post-Harbhangha, P.S.-Lakhnaur, District-Madhubani.
6. The Professor In-charge-cum-Ex-Officio Secretary, Basudeo Prasad Mahto Kishan Inter College Madhura, Post-Harbhangha, P.S.-Lakhnaur, District-Madhubani.
7. The Governing Body of Basudeo Prasad Mahto Kishan Inter College, Madhura through its Professor In-charge-cum-Ex-Officio Secretary, Post-Harbhangha, P.S.-Lakhnaur, District-Madhubani.
8. The Managing Committee of Basudeo Prasad Mahto Kishan Inter College, Madhura through its Professor In-charge-cum-Ex-Officio Secretary, Post-Harbhangha, P.S.-Lakhnaur, District-Madhubani.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Chandra Mauli Chaurasia
For the Respondent/s : Mr. Lalit Kishore

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 04-02-2025 Heard learned counsel for the petitioner and learned
counsel for the Bihar School Examination Board.

2. The present writ petition has been filed seeking the
following reliefs:

“(i) For issuance of a writ in the nature of



'Mandamus' commanding the respondents authorities concerned of the Board to Constitute the governing Body as well as the Managing Committee of Basudeo Prasad Mahto Kishan Inter College, Madhura (hereinafter referred to be as B.P.M.K. Inter College, Madhura in short) situated in Lakhnaur Police Station within the district of Madhubani, an affiliated and recognized unit of the Respondent no. 1 immediately by nominating the name of the petitioner as the donor member President of Both the governing Body as well as of the Managing Committee of the said college as per the law of the Respondent no. 1 since the petitioner is the first and highest donor of the said college and rest three remaining donors have already supported the grievances of the petitioner and there is no any contest or oppose in the name of the3 petitioner for the same.

(ii) For issuance of a writ in the nature of 'Mandamus' commanding the respondent no. 3 either to give approval and registration of the list of all the members of the governing body as well as the Managing Committee of the M.P.M.K. Inter College, Madhura by nominating the name of the petitioner as donor member President of the same as per law sent on 30.4.2019 to the Respondent No. 3 on behalf of the Respondent No. 6 contained in Annexure-6 series of this Writ Application and to allot the Registration number of the same as per the rule or to direct the respondent no. 6 to hold a meeting of the College Management immediately in order to constitute the governing body as well as the managing committee of B.P.M.K. Inter College, Madhura by nominating the name of the petitioner as the Donor member President of the same who is the first and highest donar of the college and there is no contest for his name by any other donor and even the Respondent No. 6 has also supported the grievances of the petitioner and further to direct the respondent no. 6 to send the list of the members of the governing Body as well as of the Managing Committee of the said College to the Respondent No. 1 to 4 for its approval and registration as per law immediately since the College is suffering since long till date in the facts and circumstances of the



case stated below on record.

(iii) For direction to the respondents authorities concerned of the Respondent No. 1 to nominate the name of the petitioner as donor member President of the governing Body as well as of the Managing Committee of B.P.M.K. Inter College, Madhura by constituting the same immediately as per law which have not been constituted as yet in spite of the several representations filed on behalf of the petitioner right from 2019 till date before the respondent no. 3 and 4 for the same which is evident from Annexure-6 series 8 and 11 of the Writ Application itself and to give approval and registration of the same.

(iv) And further for grant of any other relief or reliefs to the petitioner for which he is entitled for in the facts, law and circumstances of the case of the petitioner on record”.

3. At the very outset, learned counsel for the petitioner submits that the petitioner has already filed a representation before the Bihar School Examination Board, but till date no order has been passed in the said representation.

4. Considering the above-made submission, the petitioner is directed to file a fresh representation before the Respondent No.3 (The Secretary, Bihar School Examination Board, (High Secondary)) along with all supporting documents within a period of three weeks and the Respondent No.3 is well advised to consider the case of the petitioner after affording opportunity of personal hearing or through his counsel and pass a reasoned and speaking order in accordance with law within two months thereafter.



5. With the aforesaid direction, the writ application stands disposed of.

(Anjani Kumar Sharan, J)

anand/-

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