

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.738 of 2025

In
Civil Writ Jurisdiction Case No.9567 of 2019

-
-
1. The Bihar School Examination Board through its Secretary, having office at Sinha Library Road, Patna- 800017.
 2. The Chairman, Bihar School Examination Board, Patna.
 3. The Examination Controller, BSEB, Patna.

... .. Appellant/s

Versus

1. Anjali Kumari, daughter of Lalan Prasad Singh, R/o- Village New Karman Tola, Ara, P.O. and P.S. Nawada, District- Bhojpur at Ara.
2. Abhishek Kumar S/o Rajendra Pandit, Resident of Mohalla- Ramgadhiya, P.S. Ara Nagar, District- Bhojpur at Ara.
3. Lalsa Kumari, D/o Shambhu Prasad, Resident of Village- Dangrahar, P.S. Arwal, District- Arwal.
4. Alima Khatoon, D/o Amjad Hussain, Resident of Mohalla- Dopoth Katora, P.S. Ara Nagar, District- Bhojpur at Ara.
5. The Principal Secretary, Education Department, Govt. of Bihar, Patna.
6. The Director, Primary Education, Govt. of Bihar, Patna.
7. The District Magistrate, Bhojpur at Ara.
8. The District Education Officer, Bhojpur at Ara.
9. The District Programme Officer, Establishment, Bhojpur at Ara.
10. The Examination Incharge, District Education and Training Institute (D.I.E.T.) Pirouta, Bhojpur (Ara).
11. The Principal District Education and Training Institute (DIET), Pirouta, Bhojpur (Ara).
12. The State of Bihar, through Principal Secretary, Education Department, Govt. of Bihar, Patna.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.P.K. Shahi, Sr. Advocate Mr.Girijish Kumar, Advocate Mr.Akash Anand, Advocate
For the Respondent/s	:	Mr.Jitendra Kumar Roy, SC-13 Mr.Hitesh Sharma, AC to SC-13

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



(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

Date : 03-09-2025

Ref: I.A. No. 01 of 2025

Heard I.A. No. 01 of 2025 for condonation of delay. There is a delay of about 39 days in filing L.P.A. No. 738 of 2025. For the reasons stated in the application read with the affidavit, delay of about about 39 days in filing L.P.A. No. 738 of 2025 stands condoned.

2. Accordingly, I.A. No. 01 of 2025 stands allowed.

3. The State-Appellants have assailed the interim order dated 08.05.2025 passed in C.W.J.C. No. 9567 of 2019. Interim direction is in the form of permitting the Respondents-petitioners to participate in the competitive examination to be conducted by Bihar School Examination Board. Such participation in the Board Examination has no vested right with the Respondents-petitioners for the reasons that C.W.J.C. No. 9567 of 2019 is pending on the file. Even assuming that C.W.J.C. No. 9567 of 2019 is dismissed, in that event, Respondents-petitioners may not get any benefit. In the event of allowing C.W.J.C. No. 9567 of 2019, the Appellants – Bihar School Examination Board have to undertake fresh exercise of conducting examination, separately, to the Respondents-petitioners. To avoid such hardship, we are not incline to



interfere with the interim order dated 08.05.2025. Participation of the Respondents-Petitioners in the Board Examination is subject to outcome of C.W.J.C. No. 9567 of 2019 and it is made clear that no sympathy would be claimed by the Respondents-Petitioners.

4. With the above observation, L.P.A. No. 738 of 2025 stands disposed of. Pending I.As, if any, stands disposed of.

5. At this stage, learned Advocate General Mr. P.K. Shahi requested for early disposal of C.W.J.C. No. 9567 of 2019. If such application or request is made before the learned Single Judge, we request the same shall be considered and proceed to decide the aforementioned Writ petition at the earliest.

(P. B. Bajanthri, ACJ)

(Alok Kumar Sinha, J)

manish/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	04.09.2025
Transmission Date	NA

